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of Oregon.*

APRIL 12, 1860.—

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Very respectfully, yours

HON. WILLIAM PENNIE
Speaker of the House

List

I. DIFF

1. Mr. Marcy to Mr.
2. Same to Mr. Cran
3. General Harney to
4. Same to Captain
5. Same to General S

AFFAIRS IN OREGON.

LETTER

FROM

THE SECRETARY OF WAR,

COMMUNICATING,

In compliance with a resolution of the House of Representatives, correspondence with General Harney, relating to affairs in the department of Oregon.

APRIL 12, 1860.—Laid upon the table, and ordered to be printed.

WAR DEPARTMENT, April 11, 1860.

SIR: I have the honor to transmit herewith copies of the papers called for by the resolution of the House of Representatives of the 2d ultimo, by which the Secretary of War is requested to communicate to the House "the official correspondence of Brigadier General William S. Harney, in command of the department of Oregon, relating to the affairs of that department."

Very respectfully, your obedient servant,

JOHN B. FLOYD,
Secretary of War.

HON. WILLIAM PENNINGTON,
Speaker of the House of Representatives.

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I. DIFFICULTIES AT SAN JUAN ISLAND.

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2. Same to Mr. Crampton, July 17, 1855.
3. General Harney to Colonel Casey, July 18, 1859.
4. Same to Captain Pickett, July 18, 1859.
5. Same to General Scott, July 19, 1859.

6. Mr. Drinkard to General Harney, September 3, 1859.
7. General Harney to General Scott, August 1, 1859, enclosing petition of citizens at San Juan.
8. Same to the Adjutant General, August 7, 1859.
 - a. From Colonel Casey, July 31, with enclosures from Captain Pickett.
 - b. From Captain Pickett, August 3, covering correspondence with Captain Hornby.
 - c. Proclamation of Governor Douglas.
 - d. Reply to same, August 6.
 - e. To Captain Pickett, August 6.
 - f. To commander of the Pacific squadron, August 7.
 - g. To General Clarke, August 7.
9. Same to same, August 8, 1859.
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11. General Harney to same, August 18, 1859.
 - a. To Colonel Casey, August 8.
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 - e. From Governor Gholson, August 11.
 - f. To Mr. Campbell, August 16.
12. Same to the Adjutant General, August 25, 1859.
 - a. From Governor Douglas, August 13.
 - b. Reply, August 24.
 - c. Governor Douglas's message.
 - d. Debate thereon.
 - e. Article from the "British Colonist."
13. Same to same, August 29, 1859.
14. Same to General Scott, August 30, 1859, enclosing letters from Colonel Casey, August 22.
15. Same to Colonel Casey, September 2, 1859.
16. Same to General Scott, September 14, 1859.
 - a. Affidavit of Mr. Hubbs.
 - b. Affidavit of Mr. Cutler.
 - c. Letter from Mr. Hubbs.
17. Governor Gholson to General Harney, August 21, 1859.
18. General Harney to Mr. Floyd, October 10, 1859.
 - a. From Mr. Campbell, August 14.
 - b. From same, August 30.
19. General Scott to the Adjutant General, October 22, 1859.
20. Same to same, October 26, 1859.
21. Same to Mr. Floyd, October 27, 1859.
22. General Harney to General Scott, October 29, 1859, enclosing letter from Colonel Casey, October 28.
23. General Scott to Mr. Floyd, December 8, 1859.
 - a. Letter to Governor Douglas, October 25.
 - b. Memorandum by Colonel Lay, October 26.
 - c. From Governor Douglas, October 29.
 - d. To same, November 2.

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- e.* Project of settlement.
- f.* From Governor Douglas, November 3.
- g.* To same, November 5.
- h.* Special orders, November 5.
- i.* From Governor Douglas.
- j.* From same, November 7, with enclosure.
- k.* To Governor Douglas, November 9, with enclosure.
- l.* To Captain Hunt, November 9.
- m.* To Colonel Casey, November 9.
- n.* Colonel Thomas to General Harney, November 9.
- o.* General Scott to General Harney.
- p.* Special orders.
- 24. General Harney to General Scott, November 17, 1859.
- 25. Same to the Adjutant General, November 17, 1859.
- 26. Same to same, January 24, 1860.
 - a.* Resolutions of the legislature of Washington.

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- 1. The Adjutant General to General Harney, September 14, 1858.
 - a.* General orders, September 13.
- 2. General Harney to General Scott, October 19, 1858.
- 3. Same to same, October 24, 1859.
 - a.* Orders, September 20.
 - b.* Orders, October 20.
- 4. Same to same, October 29, 1858.
 - a.* From Colonel Wright, October 28.
 - b.* Treaty with the Cœur d'Alônes.
 - c.* Treaty with the Spokanes.
 - d.* Treaty with the Nez Percés.
- 5. Same to same, November 4, 1858.
- 6. Same to same, November 5, 1858.
 - a.* To Mr. De Smet, October 28.
- 7. Same to same, November 22, 1858.
- 8. Same to same, November 24, 1858.
- 9. Same to same, November 27, 1858.
- 10. Same to same, November 29, 1858.
 - a.* From Captain Ingalls, November 22, 1858.
 - b.* From Mr. Scholl, December 27, 1857.
 - c.* From Mr. Newell, December 31, 1857.
 - d.* From Mr. Palmer, January 3, 1858.
 - e.* Distances from Vancouver to Salt Lake.
- 11. Same to Adjutant General, December 6, 1858.
 - a.* To Lieutenant Sill, December 2.
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- 12. Same to same, December 8, 1853.
- 13. Same to General Scott, January 20, 1859.
- 14. The Adjutant General to General Harney, February 2, 1859.
- 15. General Harney to General Scott, February 7, 1859.
- 16. Same to same, same date.

17. The Adjutant General to General Harney, February 19, 1859.
18. Same to same, February 23, 1859.
19. General Harney to Mr. Campbell, February 24, 1859.
20. Same to the Adjutant General, March 1, 1859.
21. Same to General Scott, March 7, 1859.
 - a. From Lieutenant Scott, February 15.
22. The Adjutant General to General Harney, March 18, 1859.
23. General Harney to the Adjutant General, March 19, 1859.
 - a. From Major Alvord, March 18.
 - b. Major Allen to Major Alvord, March 4.
 - c. General Jesup to Colonel Swords, December 8, 1858.
24. The Adjutant General to General Harney, March 19, 1859.
25. Same to same, March 30, 1859.
26. Same to same, April 2, 1859.
27. General Harney to the Adjutant General, April 5, 1859.
28. Same to General Scott, April 6, 1859.
 - a. From "Gary," March 28.
29. Same to same, April 16, 1859.
 - a. From Mr. Ruckell, January 31.
 - b. From Captain Ingalls, March 9.
 - c. To Major Wyse, March 10.
 - d. From same, March 10.
 - e. From Captain Ingalls, April 13.
 - f. Mr. Allen to Captain Ingalls, March 4.
 - g. Colonel Swords to same, March 31.
 - h. To Major Wyse, April 13.
 - i. From same, April 13.
 - j. Major Wyse to General Scott, April 13.
30. Same to same, April 19, 1859.
31. Same to same, April 21, 1859.
32. Same to the Adjutant General, April 23, 1859.
33. Same to General Scott, April 25, 1859.
34. Same to Captain Wallen, April 28, 1859.
35. The Adjutant General to General Harney, April 29, 1859.
 - a. To General Clarke, April 4.
36. General Harney to the Adjutant General, May 7, 1859.
37. The Adjutant General to General Harney, May 13, 1859.
 - a. Mr. Floyd to General Lawson, April 7.
38. Same to same, May 13, 1859.
39. General Harney to General Scott, May 21, 1859.
 - a. From Mr. Campbell, May 2.
40. Same to same, June 1, 1859.
 - a. From Mr. De Smet, May 25.
 - b. To Mr. Owen, May 28.
 - c. From same, May 28.
 - d. To same, May 28.
 - e. To Mr. De Smet, June 1.
41. Same to same, June 3, 1859.
 - a. From Mr. De Smet, May 28.
42. The Adjutant General to General Harney, July 2, 1859.
43. Same to same, July 19, 1859.

44. General
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50. Lieutenant
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53. Same to
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65. Same to
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68. Same to
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69. The Adjutant
70. Same to

- 19, 1859.
44. General Harney to General Scott, July 19, 1859.
45. Same to same, July 20, 1859.
46. Same to the Adjutant General, July 20, 1859.
47. Same to General Scott, August 1, 1859.
48. Same to same, August 3, 1859.
49. Same to the Adjutant General, August 5, 1859.
- a. Charges against Lieutenant De Hart.
 - b. To commander of Fort Vancouver, July 23.
 - c. Order to Lieutenant De Hart, July 23.
 - d. Lieutenant De Hart to post commander, July 23.
 - e. Reply, July 24.
 - f. From Lieutenant De Hart, July 24.
 - g. To commander of Fort Vancouver, July 30.
 - h. Lieutenant De Hart to commander of Fort Vancouver, August 4.
 - i. Same to General Scott, August 4.
 - j. To Colonel Morris, August 4.
 - k. Colonel Morris to Lieutenant De Hart, August 5.
50. Lieutenant De Hart to General Scott, August 5, 1859.
51. General Harney to General Scott, August 5, 1859.
52. The Adjutant General to General Harney, August 10, 1859.
53. Same to same, same date.
54. General Harney to General Scott, August 15, 1859.
- a. From Captain Kirkham, August 4.
 - b. From same, August 15.
 - c. From Captain Ingalls, August 15.
55. Colonel Merchant to the Adjutant General, August 17, 1859.
- a. From Lieutenant Ihrie, August 1.
56. General Harney to the Adjutant General, August 30, 1859.
57. Same to same, September 2, 1859.
58. Same to General Scott, September 5, 1859.
59. Same to same, September 15, 1859.
60. The Adjutant General to General Harney, September 17, 1859.
61. Captain Wallen, to General Harney, August 16, forwarded September 19, 1859.
62. General Harney to the Adjutant General, September 19, 1859.
- a. To Lieutenant Howard, August 13.
 - b. From Captain Judah, September 12.
63. The Adjutant General to General Harney, October 4, 1859.
64. General Harney to General Scott, October 6, 1859.
- a. From Captain Wallen, October 1.
 - b. From emigrants to Captain Wallen.
65. Same to same, November 12, 1859.
- a. From Mr. De Smet, October 5.
66. The Adjutant General to General Harney, November 19, 1859.
67. General Harney to General Scott, November 22, 1859.
68. Same to the Adjutant General, December 9, 1859.
- a. From General Scott, October 21.
 - b. Post return of Fort Vancouver.
69. The Adjutant General to General Harney, December 17, 1859.
70. Same to same, same date.
- 8, 1858.
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71. General Harney to General Scott, December 26, 1859.
 - a. Colonel Craig to Lieutenant Welcker, May 30.
 - b. Lieutenant Welcker to Colonel Craig, August 2.
 - c. Colonel Craig to Lieutenant Welcker, September 15.
 - d. To Lieutenant Welcker, October 12.
 - e. To same, December 24.
 - f. From same, December 26.
72. Colonel Abert to Mr. Floyd, December 31, 1859.
73. The Adjutant General to General Harney, January 12, 1860.
74. General Harney to the Adjutant General, January 17, 1860.
 - a. From Captain Wallen, November 25, 1859.
 - b. Lieutenant Bonnycastle, September 15, 1859.
 - c. Mr. Scholl, December 3, 1859.
 - d. Lieutenant Dixon, January —, 1860.
 - e. Lieutenant Houston, October 29, 1859.
75. The Adjutant General to General Harney, January 18, 1860.
76. Same to same, February 7, 1860.
77. Colonel Craig to the Adjutant General, February 25, 1860.
 - a. From Lieutenant Welcker, August 1, 1859.
 - b. Agreement for occupancy of General Harney's property.
 - c. From Lieutenant Welcker, October 5, 1859.
 - d. From same, November 1, 1859.

I. DIFFICULTIES AT SAN JUAN ISLAND.

1. *Mr. Marcy to Mr. Stevens.*

DEPARTMENT OF STATE,
Washington, July 14, 1855.

* * * * *

He [the President] has instructed me to say to you that the officers of the Territory should abstain from all acts on the disputed grounds which are calculated to provoke any conflicts, so far as it can be done without implying the concession to the authority of Great Britain of an exclusive right over the premises.

The title ought to be settled before either party should exclude the other by force, or exercise complete and exclusive sovereign rights within the fairly disputed limits. Application will be made to the British government to interpose with the local authorities on the northern borders of our territory to abstain from like acts of exclusive ownership, with the explicit understanding that any forbearance on either side to assert the rights, respectively, shall not be construed into any concession to the adverse party.

By a conciliatory and moderate course on both sides, it is sincerely hoped that all difficulties will be avoided until an adjustment of the boundary line can be made in a manner mutually satisfactory. The

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government of the United States will do what it can to have the line established at an early period.

I am, sir, your obedient servant,

W. L. MARCY.

His excellency I. I. STEVENS,
Governor of Washington Territory, Olympia.

2. Mr. Marcy to Mr. Crampton.

DEPARTMENT OF STATE,
Washington, July 17, 1855.

SIR: I am under some apprehension that collision may take place between our citizens and British subjects in regard to the occupation of the disputed points along the line between Washington Territory and the British possessions on the north of it.

In the hope of avoiding such a difficulty, I have, by the direction of the President, addressed a letter to the governor of that Territory on the subject, and herewith furnish you with an extract from it. I presume that the government of her Britannic Majesty will be willing to recommend to her subjects along the boundary in question a similar course until the line can be established. In that way I sincerely hope all collision may be avoided.

I avail myself of this opportunity to renew to you, sir, the assurance of my high consideration.

W. L. MARCY.

JOHN F. CRAMPTON, Esq., &c., &c.

3. General Harney to Colonel Casey.

HEADQUARTERS DEPARTMENT OF OREGON,
Fort Vancouver, W. T., July 18, 1859.

SIR: By Special Orders No. 72, herewith enclosed, you will perceive the general commanding has withdrawn the garrisons from Bellingham and Townsend, and has placed the steamer "Massachusetts" under your orders for the better protection and supervision of the waters of Puget's Sound.

To carry out these instructions with more effect, the general commanding desires me to communicate to you the following directions: The steamer "Massachusetts" will proceed without delay to Bellingham, to be used in establishing company "D," 9th infantry, on San Juan island; after which she will convey company "I" of the 4th infantry to Steilacoom, when the company you assign for service on the steamer will be embarked under your supervision. Article 37, general regulations: Troops on board of transports will, as far as practicable, govern in the disposition of the company on board. As no surgeon is available for the ship, medical attendance will be ob-

tained at Fort Steilacoom or San Juan island, when required; medical supplies, however, with directions for use, will be furnished by your medical officer for such probable cases of danger as will require immediate attention.

After the ship has received the necessary stores and supplies, she will be instructed to cruise in the sound among the islands frequented by the northern Indians, who will be warned not to come into any of the waters under the jurisdiction of the United States, which embraces all the islands and currents to the east of the Straits of Haro.

Any opposition by these Indians will be speedily checked, and the requirements of these instructions will be maintained by force, if necessary. The ordinary rendezvous of the steamer Massachusetts, for wood and water, will be San Juan island; and should the commander of that island desire the assistance of any force from the ship for purposes connected with the defence of the island, the officer in command of the ship will be instructed to furnish the force and co-operate with the troops in all measures requiring its safety and protection. At the end of every two months the ship will visit Fort Steilacoom to obtain supplies, and for the muster and inspection required by the regulations. The command on the steamer Massachusetts will be borne on the post return of Fort Steilacoom, as a component part of its garrison.

In the ordinary cruising of the sound, the ship will be propelled by sail only, but at least four days' fuel for steam will be kept constantly on board, to be used whenever necessity requires celerity of motion. The ship will visit the light-houses on the sound in her cruises, and furnish them any protection that may be needed. As the ship is mounted with eight thirty-two pounders, and the proper ammunition has been provided, the crew will be instructed, under the direction of the master of the vessel in their use, to obtain the most efficient action from all parties in cases requiring it. Whenever circumstances occur requiring a deviation from the tenor of these instructions, you are authorized to use your own discretion and judgment in the matter, reporting the occurrence to this office. The general commanding is pleased to communicate his confidence in the zeal, energy, and intelligence you exercise in the discharge of your duties to the service, and he rests assured the details transmitted in this communication will be rendered with satisfaction and advantage to such worthy qualities.

I am, colonel, very respectfully, your obedient servant,

A. PLEASANTON,

Captain 2d Dragoons, Acting Ass't Adj't General.

Lieut. Colonel S. CASEY,

9th Infantry, commanding Fort Steilacoom, Puget's Sound.

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4. *General Harney to Captain Pickett.*

HEADQUARTERS DEPARTMENT OF OREGON,
Fort Vancouver, W. T., July 18, 1859.

CAPTAIN: By Special Orders No. 72, a copy of which is enclosed, you are directed to establish your company at Bellevue or San Juan island, in some suitable position near the harbor at the southeastern extremity. The general commanding instructs me to say the object to be attained in placing you thus is two-fold, viz: First. To protect the inhabitants of the island from the incursions of the northern Indians of British Columbia and the Russian possessions. You will not permit any force of these Indians to visit San Juan island or the waters of Puget Sound in that vicinity over which the United States have any jurisdiction. Should these Indians appear peaceable you will warn them in a quiet but firm manner to return to their country, and not visit in future the territory of the United States; and in the event of any opposition being offered to your demands, you will use the most decisive measures to enforce them; to which end the commander of the troops stationed on the steamer *Massachusetts* will be instructed to render every assistance and co-operation that will be necessary to enable your command to fulfil the tenor of these instructions.

Second. Another serious and important duty will devolve upon you in the occupation of San Juan island, arising from the conflicting interests of the American citizens and the Hudson's Bay Company establishment at that point. This duty is to afford adequate protection to the American citizens in their rights as such, and to resist all attempts at interference by the British authorities residing on Vancouver's island, by intimidation or force, in the controversies of the above-mentioned parties.

This protection has been called for in consequence of the chief factor of the Hudson's Bay Company, Mr. Dallas, having recently visited San Juan island with a British sloop-of-war, and threatened to take an American citizen by force to Victoria for trial by British laws. It is hoped a second attempt of this kind will not be made, but to insure the safety of our citizens the general commanding directs you to meet the authorities from Victoria at once, on a second arrival, and inform them they cannot be permitted to interfere with our citizens in any way. Any grievances they may allege as requiring redress can only be examined under our own laws, to which they must submit their claims in proper form.

The steamer *Massachusetts* will be directed to transport your command, stores, &c., to San Juan island, where you are authorized to construct such temporary shelter as the necessities of the service demand.

Any materials, as doors, window-sash, flooring, etc., that can be rendered available will be taken with you from Fort Bellingham. To secure to your command the vegetables of your garden a small detachment will be left to gather them when grown.

The general commanding is fully satisfied, from the varied experience and judgment displayed by you in your present command, that

your selection to the duties with which you are now charged will advance the interests of the service, and that your disposition of the subjects coming within your supervision and action will enhance your reputation as a commander.

In your selection of a position, take into consideration that future contingencies may require an establishment of from four to six companies retaining the command of the San Juan harbor.

I am, captain, very respectfully, your obedient servant,

A. PLEASONTON,

Captain 2d Dragoons, Acting Assistant Adjutant General.

Captain GEORGE PICKETT,

*Commanding company "D," 9th Infantry,
Fort Bellingham, Puget's Sound.*

5. General Harney to General Scott.

HEADQUARTERS DEPARTMENT OF OREGON,
Fort Vancouver, W. T., July 19, 1859.

SIR : * * * * *

On the morning of the 9th instant I left Victoria and visited Bellevue, or San Juan island, about ten miles to the east of Vancouver's Island, on the opposite side of the Straits of Haro. This island is fifteen miles long and five or six broad. It contains fine timber, good water, and grass, and is the most commanding position we possess on the sound; overlooking the Straits of Haro, the Straits of Fuca, and the Rosario strait, it is the most suitable point from which to observe and prevent the northern Indians from visiting our settlements to the south of it. At the southeastern extremity one of the finest harbors on this coast is to be found, completely sheltered, offering the best location for a naval station on the Pacific coast.

The Hudson's Bay Company have an establishment on this island for the purpose of raising sheep, which they export at eight dollars a head. Twenty-five Americans, with their families, are also living upon the island; and I was petitioned by them through the United States inspector of customs, Mr. Hubbs, to place a force upon the island to protect them from the Indians, as well as the oppressive interference of the authorities of the Hudson's Bay Company at Victoria, with their rights as American citizens. Mr. Hubbs informed me that a short time before my arrival the chief factor of the company at Victoria, Mr. Dallas, son-in-law of Governor Douglas, came to the island in the British sloop-of-war *Satellite*, and threatened to take one of the Americans by force to Victoria for shooting a pig of the company. The American seized his rifle and told Mr. Dallas if any such attempt was made he would kill him on the spot. The affair then ended. The American offered to pay to the company twice the value of the pig, which was refused.

To prevent a repetition of this outrage, I have ordered the company at Fort Bellingham to be established on San Juan island for the protection of our citizens, and the steamer *Massachusetts* is directed to

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rendezvous at that place with a second company to protect our interests in all parts of the sound.

I am, sir, very respectfully, your obedient servant,

WILLIAM S. HARNEY,

Brigadier General, Commanding.

The ASSISTANT ADJUTANT GENERAL,

Headquarters of the Army, New York City.

6. *Mr. Drinkard to General Harney.*

WAR DEPARTMENT, September 3, 1859.

SIR: Your despatch of the 19th July last, addressed to the general-in-chief, has been forwarded to this department, and laid before the President for his consideration.

The President was not prepared to learn that you had ordered military possession to be taken of the island of San Juan or Bellevue. Although he believes the Straits of Haro to be the true boundary between Great Britain and the United States, under the treaty of June 15, 1846, and that, consequently, this island belongs to us, yet he had not anticipated that so decided a step would have been resorted to without instructions. In cases respecting territory in dispute between friendly nations it is usual to suffer the *status* of the parties to remain until the dispute is terminated one way or the other, and this more especially whilst the question is pending for decision before a joint commission of the two governments. If you had good reason to believe that the colonial authorities of Great Britain were about to disturb the *status*, by taking possession of the island and assuming jurisdiction over it, you were in the right to anticipate their action.

* * * * * The President will not, for the present, form any decided opinion upon your course on the statement of facts presented in your despatch. He will await further details, which he expects to receive from you by the next steamer. He is especially anxious to ascertain whether, before you proceeded to act, you had communicated with Commissioner Campbell, who could not then have been distant from you, and who was intrusted by this government, in conjunction with the British commissioner, to decide this very boundary question.

In the meantime care ought to be taken to apprise the British authorities that possession has thus been taken solely with the view of protecting the rights of our citizens on the island, and preventing the incursions of the northern Indians into our territory, and not with any view of prejudging the question in dispute or retaining the island should the question be finally decided against the United States.

Very respectfully, your obedient servant,

W. R. DRINKARD,

Acting Secretary of War

Brigadier General WM. S. HARNEY,

Commanding department of Oregon, Fort Vancouver.

7. *General Harney to General Scott.*

HEADQUARTERS DEPARTMENT OF OREGON,
Fort Vancouver, W. T., August 1, 1859.

SIR: I have the honor to enclose, for the information of the general-in-chief, a copy of a petition of the American citizens on San Juan island, Puget's Sound, for protection from the constant incursions of marauding Indians.

The requirements of this petition were anticipated by the establishment of company "D," 9th infantry, upon the island, and the disposition of the steamer Massachusetts to act in concert with that company, as contained in Special Orders No. 72 from these headquarters, a copy of which order has already been transmitted to your office.

I am, sir, very respectfully, your obedient servant,

W. S. HARNEY,

Brigadier General, Commanding.

ASSISTANT ADJUTANT GENERAL,

Headquarters of the Army, New York City.

7 a.

SAN JUAN ISLAND, July 11, 1859.

*To General Harney, Commander-in-Chief
 of the Pacific division of the United States army:*

The undersigned, American citizens on the island of San Juan, would respectfully represent: That in the month of April, in the year one thousand eight hundred and fifty-eight, the house of the United States inspector of customs for this island was attacked and fired into in the night by a party of Indians living on this island, and known as the Clallams, and had it not been for the timely aid of the Hudson's Bay Company, the inspector would have fallen a victim to their savage designs. In the month of July following we found on the beach, close to the above-mentioned Indian camp, the bodies of two white men, apparently Americans, who had, when found, cotton cords about their necks which had been used to conceal them under water. Last fall another daring murder was committed in the middle of the day, and in the plain sight of us all here, without the slightest chance of our rendering them assistance. Only ten days ago another body was found on our shore which had been the victim of foul play. Inclusive with the above dangers that we are exposed to from our neighboring Indians, we are continually in fear of a descent upon us by the bands of marauding northern Indians, who infest these waters in large numbers, and are greatly retarding the progress of the settlement of this island.

According to the treaty concluded June 15, 1846, between the United States and Great Britain, (the provisions of which are plain, obvious, and pointed to us all here,) this and all the islands east of the Canal

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de Haro belong to us ; we therefore claim American protection in our present exposed and defenceless position.

With a view of these facts, and for the essential advance of having this and the surrounding islands immediately settled, we most earnestly pray that you will have stationed on this island a sufficient military force to protect us from the above-mentioned dangers until we become sufficiently strong to protect ourselves.

J. M. Haggaret.

Samuel McCauley.

J. E. Higgins.

Chas. H. Hubbs.

+ L. A. Cutlar.

William Butler.

J. D. Warren.

H. Wharton, jr.

John Witty.

B. S. Andrews.

John Hunter McKay.

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Michael Farris.

George Perkins.

Alex. McDonald.

Peter Johnson.

Angus McDonald.

William Smith.

Charles McCoy.

D. W. Oakes.

Paul K. Hubbs, jr.

Paul K. Hubbs.

8. General Harney to the Adjutant General.

HEADQUARTERS DEPARTMENT OF OREGON,

Fort Vancouver, W. T., August 7, 1859.

COLONEL : I have the honor to enclose, for the information of the War Department, a copy of a proclamation of Governor Douglas of her Britannic Majesty's island of Vancouver, also a copy of my reply to the same, with a copy of a letter I have addressed to the senior officer of our navy on this coast, requesting him to send a proper force to observe the British vessels-of-war, which are being used to threaten, with attempts to intimidate, our people on the Sound.

I have also the honor to enclose a correspondence between Captain George Pickett, 9th infantry, commanding on San Juan island, and Captain Hornby, the senior officer commanding her Majesty's ships "Tribune," "Plumper," and "Satellite."

The threatening attitude the British authorities have seen proper to assume has caused me to order Lieutenant Colonel Casey to reinforce Captain Pickett with his three companies from Fort Steilacoom, which post will be occupied by four companies of the 3d artillery from Fort Vancouver until further orders.

In my report of July 19, 1859, to the headquarters of the army, I stated I had ordered the company from Fort Bellingham to San Juan island to protect the American citizens residing on that island from the insults and indignities which the British authorities of Vancouver's island did not hesitate to offer them on every occasion. On my visit to San Juan island, mentioned in that report, the United States inspector of customs on the island, Mr. Hubbs, made an official complaint in behalf of the American citizens of the outrages perpetrated upon them by the British authorities of Vancouver's island, who are connected with the Hudson's Bay Company establishment, and who

have a sheep farm on the island. This company pretend to own the whole island, which is some fifteen or twenty miles long, and five or six broad—while their improvements on the island are a few old houses and some small fields under enclosure.

A week or ten days ago, before my arrival on that island, one of the Americans shot a pig belonging to the Hudson's Bay Company, after having been greatly provoked by the person in charge, to whom he had applied to have the pig secured, as it damaged his fields. This request was treated with contempt, and the pig was shot, the American offering twice the value for the animal, which was refused. The next day the British ship-of-war "Satellite," with Mr. Dallas on board, who is the chief factor of the Hudson's Bay Company, and a son-in-law of Governor Douglas, visited the island and threatened to take the American to Victoria, by force, for trial. The American resisted, seized his rifle, and in return told Mr. Dallas he might take him, but he would kill him first. I was also informed that the Hudson's Bay Company had threatened at different times to send the northern Indians down upon them and drive them from the island. This statement has since been confirmed to me by some of the most reliable citizens of the Sound. I felt it my duty, therefore, to give these citizens the protection they sought with just and pressing claims.

Governor Douglas is the father-in-law of Mr. Dallas, and, having the local rank of vice-admiral, he commands the British navy in the Sound. This accounts in some measure for the use of the British ships-of-war in the supervision of the interests of the Hudson's Bay Company. To attempt to take, by an armed force, an American citizen from our soil, to be tried by British laws, is an insult to our flag and an outrage upon the rights of our people, that has aroused them to a high state of indignation. I therefore most respectfully request the President to consider the necessities for an increased naval force on this station, to give confidence to the people that their rights will be respected.

It would be well for the British government to know the American people of this coast will never sanction any claim they may assert to any other island in Puget's Sound than that of Vancouver's, south of the 49th parallel and east of the Canal de Haro; any attempt at possession by them will be followed by a collision.

I desire to assure the department that while there is no one more desirous than myself for an amicable settlement of the difficulties raised by the British authorities of Vancouver's island at this time, I shall use all the means at my command to maintain the position I have assumed in regard to San Juan island; being fully convinced that whatever respect and consideration might have been yielded to the statements of a doubtful claim advanced in due form have been forfeited by the overbearing, insulting, and aggressive conduct her Majesty's executive officers have displayed not only towards our citizens but to the officer commanding our troops at San Juan.

I am, colonel, very respectfully, your obedient servant,

W. S. HARNEY,

Brigadier General, Commanding.

Colonel S. COOPER, *Adjutant General, Washington City, D. C.*

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8 a.

FORT STEILACOOM, July 31, 1859.

CAPTAIN: I have the honor to report that I have despatched the Massachusetts to-day with Major Haller's company "I," 4th infantry, for San Juan island. I sent, also, on the same steamer, Lieutenant Shaaff and twenty men, to report for duty with the boundary commission, at Semiahmoo.

I have directed the acting assistant quartermaster at this post to forward to San Juan the articles which Captain Pickett informed me he required, and which could be spared from this post. I have also directed the steamer to take from Fort Townsend a small boat and some tarpaulines, which are much needed at San Juan.

I have directed, in case contrary orders are not received from department headquarters, that the steamer Massachusetts shall stop at Fort Townsend, in returning to this post on the 31st proximo, (for the muster and inspection of the company,) and take on board all the public property and the detachment of men and convey them to this post.

I directed that one sergeant and two privates be left there until further orders, to take charge of the public quarters and gardens.

I have enclosed, for the information of the general, copies of communications which have passed between Captain Pickett and the agent of the Hudson's Bay Company at San Juan, also a note which I received from the captain. Not having been informed of the tenor of Captain Pickett's instructions, I could not, of course, advise him with regard to them. The authorities on the other side are trying to bluff a little, but I do not apprehend anything serious.

Very respectfully, your obedient servant,

SILAS CASEY,

Lieutenant Colonel 9th Infantry, Commanding Post.

Captain ALFRED PLEASANTON,

Acting Assistant Adjutant General, U. S. A.,

Department of Oregon, Fort Vancouver, W. T.

[Enclosures.]

1. Captain Pickett to Colonel Casey, July 30.
2. Mr. Griffin to Captain Pickett, July 30.
3. Captain Pickett to Mr. Griffin, July 30.

8 a.

1.

MILITARY CAMP,

San Juan Island, W. T., July 30, 1859.

MY DEAR COLONEL: I have the honor to enclose you some notes which passed this morning between the Hudson's Bay authorities and myself. From the threatening attitude of affairs at present, I deem it my duty

to request that the Massachusetts may be sent at once to this point. I do not know that any actual collision will take place, but it is not comfortable to be lying within range of a couple of war steamers. The "Tribune," a 30-gun frigate, is lying broadside to our camp, and from present indications everything leads me to suppose that they will attempt to prevent my carrying out my instructions.

If you have any boats to spare I should be happy to get one at least. The only whale boat we had was, most unfortunately, staved on the day of our departure.

We will be very much in want of some tools and camp equipage. I have not the time, colonel, to make out the proper requisition, but if your quartermaster can send us some of these articles it will be of great service,

I am, sir, in haste, very truly, your obedient servant,

G. E. PICKETT,
Captain 9th Infantry.

Lieutenant Colonel S. CASEY,
9th Infantry, Commanding Fort Steilacoom, W. T.

P. S.—The Shubrick has rendered us every assistance in her power and I am much indebted for the kindness of officers.

8 a.
2.

BELLEVUE FARM, San Juan, July 30, 1859.

SIR: I have the honor to inform you that the island of San Juan on which your camp is pitched, is the property and in the occupation of the Hudson's Bay Company, and to request that you and the whole of the party who have landed from the American vessels will immediately cease to occupy the same. Should you be unwilling to comply with my request, I feel bound to apply to the civil authorities. Awaiting your reply,

I have the honor to be, sir, your obedient servant,

CHAS. JNO. GRIFFIN,
Agent Hudson's Bay Company.

Captain PICKETT, &c., &c., &c.

8 a.
3.

MILITARY CAMP,
San Juan, W. T., July 30, 1859.

SIR: Your communication of this instant has been received. I have to state in reply that I do not acknowledge the right of the Hudson Bay Company to dictate my course of action. I am here by virtue

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an order from my government, and shall remain till recalled by the same authority.

I am, sir, very respectfully, your obedient servant,
 GEORGE E. PICKETT,
Captain 9th U. S. Infantry, Commanding.

Mr. CHARLES J. GRIFFIN,
Agent Hudson's Bay Company, San Juan Island, W. T.

8 b.

MILITARY POST,
San Juan, W. T., August 3, 10 p. m.

CAPTAIN: I have the honor to report the following circumstances: The British ships the "Tribune," the "Plumper," and the "Satellite," are lying here in a menacing attitude. I have been *warned off* by the Hudson's Bay agent; then a summons was sent me to appear before a Mr. De Courcy, an official of her Britannic Majesty. To-day I received the enclosed communications, and I also enclose my answer to same.

I had to deal with three captains, and I thought it better to take the brunt of it. They have a force so much superior to mine that it will be merely a mouthful for them; still I have informed them that I am here by order of my commanding general, and will maintain my position if possible.

They wish to have a conjoint occupation of the island: I decline anything of that kind. They can, if they choose, land at almost any point on the island, and I cannot prevent them. I have used the utmost courtesy and delicacy in my intercourse; and, if it is possible, please inform me at such an early hour as to prevent a collision. The utmost I could expect to day was to suspend any proceeding till they have time to digest a *pill* which I gave them. They wish to throw the onus on me, because I refused to allow them to land an equal force, and each of us to have military occupation, thereby wiping out both civil authorities.

I say I cannot do so until I hear from the general.

I have endeavored to impress them with the idea that my authority comes directly through you from Washington.

The "Pleiades" left this morning for San Francisco with Colonel Hawkins.

The excitement in Victoria and here is tremendous. I suppose some five hundred people have visited us. I have had to use a great deal of my *peace-making* disposition in order to restrain some of the sovereigns.

Please excuse this hasty, and, I am almost afraid, unintelligible letter, but the steamer is waiting, and I have been writing under the most unfavorable circumstances. I must add that they seem to doubt the authority of the general commanding, and do not wish to acknowledge his right to occupy this island, which they say is in dispute, unless the United States government have decided the question with Great Britain. I have so far staved them off, by saying that the two governments have without doubt settled this affair; but this state of

H. Ex. Doc. 65—2

affairs cannot last, therefore I most respectfully ask that an express be sent me immediately on my future guidance. I do not think there are any moments to waste. In order to maintain our dignity we must occupy in force, or allow them to land in equal force, which they can do now, and possibly will do in spite of my diplomacy.

I have the honor to enclose all the correspondence which has taken place. Hoping that my course of action will meet with the approval of the general commanding, and that I may hear from him in regard to my future course at once,

I remain, captain, your obedient servant,

G. E. PICKETT,

Captain 9th Infantry, Commanding Post.

Captain A. PLEASANTON,

Mounted Dragoons, Adjutant General,

Department of Oregon, Fort Vancouver, W. T.

[Enclosures.]

1. Captain Hornby to Captain Pickett, August 3.
2. Captain Pickett to Captain Hornby, August 3.
3. Captain Hornby to Captain Pickett, August 3.
4. Same to same, August 3.
5. Captain Pickett to Captain Hornby, August 3.

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HER MAJESTY'S SHIP "TRIBUNE,"

Griffin Bay, Island of San Juan, August 3, 1855.

SIR: Having received instructions from his excellency Governor Douglas to communicate with you in reference to the landing of United States troops under your command on the island of San Juan, I have the honor to propose a meeting should take place between myself and any other officers of the United States military forces on the one part, and captains of her Britannic Majesty's ships on the other (on board her Majesty's ship "Tribune,") at any hour that may be convenient to you, that we may, if possible, conclude such arrangements as will tend to preserve harmony between the subjects of the two States in this island.

I have the honor to be, sir, your obedient servant,

GEOFFREY PHIPPS HORNBY, *Captain*

Captain PICKETT,

Commanding Detachment United States Troops, Island San Juan.

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MILITARY POST,
San Juan, W. T., August 3, 1859.

SIR: Your communication of this instant, favored by Lieutenant Dunlop, has been received. I have the honor to say, in reply, that I shall most cheerfully meet yourself, and whatever officers of her Majesty's service that you may select, in my camp at whatever hour you may choose to designate. Be assured that my wish corresponds with yours to preserve harmony between our respective governments.

I remain, sir, very respectfully, your obedient servant,

GEORGE E. PICKETT,

Captain 9th United States Infantry, Commanding.

Captain PHIPPS HORNBY,

*Commanding her Britannic Majesty's Ship "Tribune,"
Harbor of San Juan, W. T.*

8 b.

3.

HER MAJESTY'S SHIP "TRIBUNE,"
Griffin Bay, Island of San Juan, August 3, 1859.

SIR: In reply to your letter of this morning, I have to inform you that I shall do myself the honor of calling on you at 2 p. m., in company with the captains of her Britannic Majesty's ships.

I have the honor to be, sir, your obedient servant,

G. PHIPPS HORNBY, *Captain.*

Captain PICKETT,

Commanding Detachment U. S. Troops, Island of San Juan.

8 b.

4.

HER MAJESTY'S SHIP "TRIBUNE,"
San Juan Island, August 3, 1859.

SIR: In accordance with your request for a written communication, I have the honor to transmit the substance of the declarations and propositions made by me to you to-day.

Having drawn your attention to the extract of a despatch from Mr. Marcy, Secretary of State, to his excellency Governor Stevens, dated July 14, 1855, prescribing the conduct that should be pursued by the officers of the United States in respect of the disputed grounds, I asked that was the tenor of your present instructions, or if the relations of the two States had been placed on other than a friendly footing by any more recent date.

To this you replied by referring to the date of the despatch.

I then asked you, in the name of Governor Douglas, the terms on which you had occupied the island of San Juan; to which you replied that you did so by order of the "general commanding," to protect it as a part of the United States territory, and that you believed he acted under orders from the government at Washington.

I then presented to you the governor's protest against any such occupation or claim. I represented to you that the fact of occupying a disputed island by a military force necessitated a similar action on our part; that again involved the imminent risk of a collision between the forces, there being a magistrate of each nation now acting on the island, either of whom might call on those of their country for aid.

To prevent the chance of such collision, I suggested that a joint military occupation might take place, and continue until replies could be received from our respective governments; and, during such times, that the commanding officers of the forces should control and adjudicate between their respective countrymen, the magistrates being withdrawn on both sides, or the action of their courts suspended for the time being, their employment not being necessary under a joint military occupation.

I suggested this course as apparently the only one left (short of entire evacuation by the troops under your command) likely to produce the object so much to be desired, viz: the prevention of a collision between the forces or authorities of the two countries, landed or in the harbor of San Juan—an event which must lead to still more disastrous results, by permanently estranging the friendly relations subsisting between Great Britain and the United States of America.

You replied that you had not authority to conclude such terms, but suggested the reference of them to General Harney and Governor Douglas, without interference in any way with our liberty of action.

I pointed out that my proposition was strictly in accordance with the principles laid down in Mr. Marcy's despatch, and that yours, on the other hand, offered no security against the occurrence of some immediate evil.

That as officers of the United States government had committed an act of aggression by landing an armed force on this island pending the settlement of our respective claims to its sovereignty, without warning to us, and without giving you a discretionary power of making any necessary arrangements, that the United States and our officers alone must be responsible for any consequences that might result, either immediate or future.

I agreed to your request to furnish you with the substance of the conversation in writing, and concluded by informing you that I have now made what seemed to me a most equitable and simple proposition. I reserved to myself, in the event of your non-acceptance of it, entire liberty of action either for the protection of British subjects or property, or of our claims to the sovereignty of the island, until they are settled by the Northwest Boundary Commission now existing by the respective governments.

I believe I have now given you the substance of our conversation and have only to add my regret that you were not able to agree to

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course which it appears to me would totally avoid the risk of a collision.

The responsibility of any such catastrophe does not, I feel, rest on me or on her Majesty's representative at Vancouver's island.

I have the honor to be, sir, your most obedient, humble servant,

GEOFFREY PHIPPS HORNBY,

Captain and Senior Officer.

Captain GEORGE PICKETT,

Commanding Detachment of United States 9th Regiment.

MILITARY POST,

Island of San Juan, W. T., August 3, 11 p. m.

SIR: I have the honor to acknowledge the receipt of your communication of this date, in reference to the conversation which was held to-day between ourselves and Captains Prevost and Richards. Your recollection of said conversation seems to be very accurate. There is one point, however, which I dwelt upon particularly, and which I must endeavor, as the officer representing my government, to impress upon you, viz: That, as a matter of course, I, being here under orders from my government, cannot allow any joint occupation until so ordered by my commanding general, and that any attempt to make such occupation as you have proposed, before I can communicate with General Harney, will be bringing on a collision which can be avoided by awaiting this issue. I do not for one moment imagine that there will any difficulty occur on this island which will render a military interference necessary; and I therefore deem it proper to state that I think no discredit can reflect upon us, or our respective flags, by remaining in our present positions until we have an opportunity of hearing from those higher in authority.

I hope, most sincerely, sir, you will reflect on this, and hope you may coincide with me in my conclusion. Should you see fit to act otherwise, you will then be the person who will bring on a most disastrous difficulty, and not the United States officials.

I have thus hurriedly answered your communication, in order to avoid any delay and its consequences.

I remain, with much respect, your obedient servant,

GEORGE E. PICKETT,

Captain 9th Infantry, Commanding Post.

Capt. G. PHIPPS HORNBY,

Commanding her Britannic Majesty's ship "Tribune,"

Harbor of San Juan, Washington Territory.

By JAMES DOUGLAS, Esq., Governor and commander-in-chief in and over the colony of Vancouver's island and its dependencies, vice-admiral of the same, &c.

The sovereignty of the island of San Juan and of the whole of the Haro archipelago, ~~has~~ always been undeviatingly claimed to be in the crown of Great Britain. Therefore, I, James Douglas, do hereby, formally and solemnly, protest against the occupation of the said island, of any part of the said archipelago, by any person whatsoever, for or on behalf of any other power, hereby protesting and declaring that the sovereignty thereof by right now is, and always hath been, in her Majesty Queen Victoria and her predecessors, Kings of Great Britain.

Given under my hand and seal, at Victoria, Vancouver's island, on this second day of August, one thousand eight hundred and [L. S.] fifty-nine, and in the twenty-third year of her Majesty's reign.
JAMES DOUGLAS.

8 d.

HEADQUARTERS DEPARTMENT OF OREGON,
Fort Vancouver, W. T., August 6, 1859.

SIR: I have the honor to inform you of the receipt of an official copy of a protest made by you to the occupation of San Juan island, in Puget's Sound, by a company of United States troops under my command.

This official copy was furnished by Captain Hornby, of her Majesty's ship "Tribune," to the United States officer in command at San Juan island, Captain George Pickett, of the 9th infantry of the American army, together with a communication threatening a joint occupation of San Juan island by the forces of her Majesty's ships "Tribune," "Plumper," and "Satellite," now in the harbor of that island by your orders.

As the military commander of the department of Oregon, assigned to that command by the orders of the President of the United States, I have the honor to state, for your information, that by such authority invested in me I placed a military command upon the island of San Juan to protect the American citizens residing on that island from the insults and indignities which the British authorities of Vancouver's island and the establishment of the Hudson's Bay Company recently offered them, by sending a British ship-of-war from Vancouver's island to convey the chief factor of the Hudson's Bay Company to San Juan for the purpose of seizing an American citizen and forcibly transporting him to Vancouver's island to be tried by British laws.

I have reported this attempted outrage to my government, and they

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will doubtless seek the proper redress from the British government. In the meantime, I have the honor to inform your excellency I shall not permit a repetition of that insult, and shall retain a command on San Juan island to protect its citizens, in the name of the United States, until I receive further orders from my government.

I have the honor to be, very respectfully, your obedient servant,

W. S. HARNEY,

Brigadier General United States Army, Commanding.

His excellency JAMES DOUGLAS, C. B.,

Governor of Vancouver's Island, &c.,

Vice-Admiral of the same.

88 a

HEADQUARTERS DEPARTMENT OF OREGON,

Fort Vancouver, W. T., August 6, 1859.

CAPTAIN: The general commanding instructs me to inform you of the receipt of Governor Douglas's protest to the occupation of San Juan island, and directs me to enclose a communication, which you will request Captain Hornby, of her Majesty's ship "Tribune," to transmit to Governor Douglas with all convenient despatch.

The general approves the course you have pursued, and further directs that no joint occupation or any civil jurisdiction will be permitted on San Juan island by the British authorities under any circumstances.

Lieutenant Colonel Casey is ordered to reinforce you with his command as soon as possible.

Send Lieutenant Howard to Fort Steilacoom in arrest.

I am, captain, very respectfully, your obedient servant,

A. PLEASANTON,

Capt. 2d Dragoons, Acting Asst. Adj't. General.

Captain GEORGE PICKETT,

9th Infantry, Com'g on San Juan Island, Puget's Sound, W. T.

8 f.

HEADQUARTERS DEPARTMENT OF OREGON,

Fort Vancouver, W. T., August 7, 1859.

SIR: I have the honor to enclose for your information a copy of a proclamation of Governor Douglas, the executive officer of her Britannic Majesty's island of Vancouver, in Puget's Sound; also my reply to this proclamation, as far as it affects the rights of American citizens whose interests have been confided to the protection of my command; and I desire further to inform you that at this time I have a company of United States troops in possession of San Juan island, to

prevent any repetition of the insults that have been offered to our citizens by the British authorities of Vancouver's island. This company I have ordered to be strongly reinforced, which the British authorities have threatened not to permit, but also to remove the present force from the island. This I do not believe they will attempt, but I shall make every effort to meet and frustrate any designs to place such an indignity upon our flag; and as we have no national vessel belonging to our navy in the waters of Puget's Sound to observe the three British vessels of war that have been placed in a threatening attitude over the harbor of San Juan island, I have the honor to request you, as the commander of the United States naval forces on the Pacific, to order to Puget's Sound such force as you can render available to assist in the protection of American interests in that quarter, and to enable us to meet successfully any issue that may be attempted to be made out of the present impending difficulties.

This communication is transmitted through Brigadier General Clarke, commanding department of California, not having the honor of your acquaintance or a knowledge of your station.

I shall forward immediately a copy of this letter to the Secretary of War, for the information of the President.

I am, sir, with high regard, your obedient servant,

W. S. HARNEY,

Brigadier General United States Army, Commanding.

The SENIOR OFFICER of the United States Navy,

Commanding Squadron on the Pacific Coast.

8 g.

HEADQUARTERS DEPARTMENT OF OREGON,
Fort Vancouver, W. T., August 7, 1859.

GENERAL: I have the honor to enclose a communication for the senior officer of the navy commanding on the Pacific coast, in which I have requested a force from his command, to be stationed on Puget's Sound to observe the British men-of-war that are assuming a threatening attitude towards a company of infantry I have placed on San Juan island.

I will thank you, general, to cause this communication to be transmitted to the proper officer of the navy at your earliest opportunity, as speedy action on his part will do much to allay the excitement which is fast spreading among our people at the overbearing conduct of the British authorities.

I enclose for your information copies of Governor Douglas's proclamation, and my reply to the same.

I enclose, also, an important communication for the Adjutant General,

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I am, general, with high respect, your obedient servant,

W. S. HARNEY,
Brigadier General, Commanding.

Brigadier General N. S. CLARKE,
*Commanding Department of California,
San Francisco, California.*

9. *General Harney to the Adjutant General.*

HEADQUARTERS DEPARTMENT OF OREGON,
Fort Vancouver, W. T., August 8, 1859.

COLONEL: In connexion with my report of yesterday's date, I desire to state that the island of San Juan has for months past been under the civil jurisdiction of Whatcom county, Washington Territory—a justice of the peace had been established on the island—the people had been taxed by the county, and the taxes were paid by the foreigners as well as Americans. An inspector of customs, a United States officer of the Treasury Department, had been placed upon the island in the discharge of his proper duties. The British authorities at Vancouver's island were aware of all of these facts, and never attempted to exercise any authority on the island, except clandestinely, as reported yesterday in the case of the pig which was killed.

When Governor Douglas heard of the arrival of Captain Pickett's command at San Juan, he appointed a justice of the peace and other civil authorities at Victoria, and sent them over in the British ship-of-war "Plumper" to execute British laws in the island. Captain Pickett refused to permit them to act as such, and I have sustained him in his position. I believe I have now fully and fairly explained all the facts which have any bearing upon the occupation of San Juan island, which was made an imperious necessity by the wanton and insulting conduct of the British authorities of Vancouver's island towards our citizens.

I am, colonel, very respectfully, your obedient servant,

W. S. HARNEY,
Brigadier General, Commanding.

Colonel S. COOPER,
Adjutant General United States Army, Washington City, D. C.

10. *Mr. Drinkard to General Scott.*

WAR DEPARTMENT, *September 16 1859.*

SIR: The President has been much gratified at the alacrity with which you have responded to his wish that you would proceed to

Washington Territory to assume the immediate command, if necessary, of the United States forces on the Pacific coast.

He has directed me to call your special attention to the present threatening attitude of the British and American authorities at and near the island of San Juan. The two governments have differed on the question of title to this island under the treaty concluded between them at Washington on the 15th June, 1846. The decision of this question depends on whether the treaty line, in passing "from the middle of the channel, on the 49th parallel of latitude, which separates the continent from Vancouver's island to Fuca straits," ought to be run through the Canal de Haro or the Rosario strait. If through the Canal de Haro, the island belongs to the United States; but if through the Rosario strait, to Great Britain.

This is not the proper occasion to discuss the question of title. If it were, it might be shown that all the territory which the American government consented to yield, south of the 49th parallel of latitude, was the Cape of Vancouver's island. The idea that the treaty intended to give Great Britain not only the whole of that large and important island, but all the islands south of 49° in the archipelago between the island and the continent, was not, at the time, entertained either by the President or the Senate of the United States.

In order to prevent unfortunate collisions on that remote frontier, pending the dispute, Mr. Marcy, the late Secretary of State, on the 14th of July, 1855, addressed a letter to the honorable Isaac I. Stevens, then governor of Washington Territory, having a special reference to an "apprehended conflict between our citizens and the British subjects on the island of San Juan." In this letter Governor Stevens is instructed "that the officers of the Territory should abstain from all acts on the disputed grounds which are calculated to provoke any conflict, so far as it can be done without implying the concession to the authorities of Great Britain of an exclusive right over the premises. The title ought to be settled before either party should attempt to exclude the other by force, or exercise complete and exclusive sovereign rights within the fairly disputed limits." Three days thereafter, on the 17th July, 1855, Secretary Marcy addressed a note to Mr. Cramp-ton, then the British minister at Washington, communicating to him the material portion of his letter to Governor Stevens. Copies of both these letters are herewith enclosed.

Thus matters stood until General Harney deemed it proper, for the purpose of affording protection to American citizens on the island and the neighboring territories of the United States, to direct Captain George E. Pickett, ninth infantry, "to establish his company on Bellevue, or San Juan island, in some suitable position near the harbor at the southeastern extremity." At the same time the steamer "Massachusetts" was placed under the orders of Lieutenant Colonel Silas Casey, 9th infantry, "for the better protection and supervision of the waters of Puget's Sound," with instructions to coöperate with Captain Pickett. These instructions were promptly executed. Captain Pickett immediately proceeded to the island with his company and established a military post at its southeastern extremity.

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Lieutenant Ge-
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department, a statement of the condition of affairs in and near the island of San Juan, because you will be furnished with copies of all these papers. I would refer you especially to the two despatches of General Harney, dated July 19 and August 7, and to my despatch to him of the 3d instant, in reply to his of the 19th July. Suffice it to say that they present a condition of affairs demanding the serious attention of this government.

It is impossible, at this distance from the scene, and in ignorance of what may have already transpired on the spot, to give you positive instructions as to your course of action. Much, very much, must be left to your own discretion, and the President is happy to believe that discretion could not be intrusted to more competent hands. His main object is to preserve the peace and prevent collision between the British and American authorities on the island until the question of title can be adjusted by the two governments. Following out the spirit of Mr. Harney's instructions to Governor Stevens, it would be desirable to provide, during the intervening period, for a joint occupation of the island, under such guards as will secure its tranquillity without interfering with our rights. The President perceives no objection to the plan proposed by Captain Hornby, of her Majesty's ship "Tribune," to Captain Pickett; it being understood that Captain Pickett's company shall remain on the island to resist, if need be, the incursions of northern Indians on our frontier settlements, and to afford protection to American citizens resident thereon. In any arrangement which may be made for joint occupation, American citizens must be placed on a footing equally favorable with that of British subjects.

But what shall be your course should the forces of the two governments have come into collision before your arrival? This would vastly complicate the case, especially if blood shall have been shed. In that event, it would still be your duty, if this can, in your opinion, be honorably done, under the surrounding circumstances, to establish a temporary joint occupation of the island, giving to neither party any advantage over the other. It would be a shocking event if the two nations should be precipitated into a war respecting the possession of a small island, and that only for the brief period during which the two governments may be peacefully employed in settling the question which of them the island belongs.

It is a possible, but not a probable, case that the British authorities, being a greatly superior force at their immediate command, may have attempted to seize the island and to exercise exclusive jurisdiction over it, and that our countrymen in those regions may have taken up arms to assert and maintain their rights. In that event the President feels most confidence, from the whole tenor of your past life, that you will not suffer the national honor to be tarnished. If we must be forced to a war by the violence of the British authorities, which is not anticipated, we shall abide the issue as best we may without apprehension to the result.

I am, sir, very respectfully, your obedient servant,

W. R. DRINKARD,

Acting Secretary of War.

Lieutenant General WINFIELD SCOTT,

Commander-in-Chief of the United States Army, Washington.

11. *General Harney to General Scott.*

HEADQUARTERS DEPARTMENT OF OREGON,
Fort Vancouver, W. T., August 18, 1859.

SIR: Since my report of the 8th instant to the Adjutant General, a copy of which was sent to your office, with accompanying papers, I have received the enclosed correspondence from Lieutenant Colonel Casey, commanding on San Juan island, as a record of the events which have occurred at that place; in addition to which I have the honor to report, for the information of the general-in-chief, my own action, based on the above correspondence, as shown by the enclosed copies to Lieutenant Colonel Casey and Commissioner Campbell, and also a copy of a communication from his excellency Governor Gholson, of Washington Territory, containing an assurance of a cordial response by the people of this Territory whenever it may be necessary to apply for their assistance.

I enclose a list of the fleet and forces of her Britannic Majesty on service in Puget's Sound, which have been made use of to threaten my command occupying San Juan island. This armament, it will be seen, contains five vessels of war, one hundred and sixty-seven guns, two thousand one hundred and forty men, some six hundred of which are marines and engineer troops; and when it is known that this force has been employed from the 27th day of July until the 10th day of August, the day on which Colonel Casey, with reinforcements, reached the island, in using every means in its power, except opening a fire to intimidate one company of infantry but sixty strong, the conviction will be universal that the cause which this large armament had been called upon to maintain must be totally deficient of right, justice, and integrity.

The senior officer of three British ships-of-war threatened to land an overpowering force upon Captain Pickett, who nobly replied that whether they landed fifty or five thousand men, his conduct would not be affected by it; that he would open his fire, and, if compelled, take to the woods fighting; and so satisfied were the British officers that such would be his course, they hesitated in putting their threat into execution. For the cool judgment, ability, and gallantry which distinguished Captain Pickett in his command on San Juan island, I most respectfully offer his name to the President of the United States for his notice, by the preferment of a brevet, to date from the commencement of his service on San Juan island.

On the 14th of August Colonel Casey had five companies with him on the island, and was busy placing in position eight thirty-pounders, taken from the steamer "Massachusetts" by my order. By this time four companies more have joined him, making in all nine companies—say five hundred men. These, with the citizens on the island, can now defend it until a diversion could be made in their favor. From the height of the island above the water it presents many advantages for shelter from the fire of a fleet, and no force could be landed to dislodge Colonel Casey after his guns are in position and the intrenchments are completed. A detachment of engineer troops was

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The visit of Colonel Casey to Esquimaux harbor to see the British admiral was not anticipated by me, and was a generous act of zeal on the part of the colonel, tending, however, to produce confusion in the minds of the British authorities. I have directed that in future all official communications be referred directly to headquarters.

Some Indian disturbances occurred at Whatcom, on the Sound, about the 7th instant, in which one man was killed. The steamer Massachusetts proceeded immediately to the spot and arrested the ring-leaders. Four Indians were killed in the melee at Whatcom, and the remaining offenders have been turned over to the civil authority.

This prompt action has restored quiet to the country around Whatcom.

I am, sir, very respectfully, your obedient servant,

W. S. HARNEY,

Brigadier General Commanding.

ASSISTANT ADJUTANT GENERAL,

Headquarters of the Army, New York city.

11 a.

HEADQUARTERS DEPARTMENT OF OREGON,

Fort Vancouver, W. T., August 8, 1859.

COLONEL: The general commanding instructs you to take such supplies from Bellingham and Townsend, for your command on San Juan, as it may require, and any deficiencies make up from Steilacoom.

You are authorized to strengthen your position on San Juan by the four companies of the 3d artillery now en route to Steilacoom, should you conceive the necessity demands it.

It is not the general's intention to reoccupy either Bellingham or Townsend; consequently, as soon as you can conveniently do so, have all the public property from those posts transferred to San Juan and Steilacoom, according to the wants of the service.

The application for Mr. Goldsborough's services as clerk on the steamer Massachusetts to the officer in charge of the public property has been favorably endorsed and transmitted to the Adjutant General for the approval of the Secretary of War, under General Orders No. 13, from the War Department, of this year.

Mr. Goldsborough can be retained in the service until the application is acknowledged.

I am, colonel, very respectfully, your obedient servant,

A. PLEASANTON,

Captain 2d Dragoons, Acting Assistant Adjutant General.

Lieutenant Colonel S. CASEY,

9th Infantry, commanding United States troops,

San Juan Island, W. T.

117.

CAMP PICKETT,
San Juan Island, W. T., August 12, 1859.

CAPTAIN: I have the honor to report that, in obedience to orders received from department headquarters, I left Fort Steilacoom on the steamer Julia on the 9th instant, (the morning after the receipt of the order,) with my command. In a short time after leaving we were met by the steamer "Active," on her way to Fort Steilacoom, for the purpose of communicating to me the state of affairs on the island. I was strongly and solemnly advised by Captain Alden, in view of the momentous consequences that might arise, not to land any troops on the island, as this would be prevented by the British steamship-of-war "Tribune," who, with her fires constantly kept up, was lying with her broadside on the landing.

Although fully appreciating the terrible consequences of a hostile collision with our quasi enemy, which would probably be no less than involving two great nations in war, I did not under the circumstances however, consider myself at liberty to disregard my orders, and accordingly resolved to land under the guns of the frigate. The commencing hostilities should be on their side. We left Port Townsend about twelve o'clock the night of the 9th, expecting to reach San Juan early on the morning of the 10th. The fog, however, came up so dense that we did not make the island of San Juan until about seven o'clock the morning of the 10th.

After hugging the shore for a few miles, I was informed by the captain that we were but a short distance from Captain Pickett's camp, and that it was difficult to get along on account of the fog, and that moreover, the tide was so low that he would not have been able to have gotten up to the wharf at the landing for several hours.

Finding ourselves a smooth place near the land, with the coast depressed at the point as to make the ascent from the shore easy, I landed the troops and howitzers, with orders to the senior officers to move them to Captain Pickett's camp. I proceeded on the steamer around to the wharf, taking with me my adjutant and a small guard for the howitzer ammunition and other public property.

I found the Tribune lying as has been described. They did not interfere with the landing of our freight. Whether they would have interfered with the landing of the troops I cannot say. It is Captain Pickett's opinion that they would.

Before I had landed from the steamer, I received a message from Captain Pickett, by one of his officers, requesting my presence at once in camp. The captain pointed out to me a British war steamer, ascertained afterwards to be the "Satellite," which he was under the impression was about taking a position to shell the camp. The camp is situated on a narrow neck of land opposite to the harbor, and distant about two-thirds of a mile. The "Tribune," lying in the harbor, has on board several hundred men, composed of marines, royal artillery and sappers and miners. He expected the land attack from the harbor side, and was prepared to fire upon them with his howitzers and the

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spike them, deliver his fire with his musketry, and retreat to the woods. Not having time to form any well-considered plan of my own, with regard to the state of affairs, I did not countermand the directions that Captain Pickett had given.

Seeing the danger of a collision at any moment, which would inevitably lead to war between two mighty nations connected by so many common bonds, and whichever way it might terminate would be eminently disastrous to the cause of civilization and the interests of humanity, I resolved to make an attempt to prevent so great a calamity. I sent an officer aboard the "Tribune" with a request that Captain Hornby, the commander, would call on me at my camp for the purpose of a conference.

The message returned to me by Captain Hornby was, that he was much engaged at that time, and would come if he could conveniently, but would be happy to see me on board his vessel. However, in a few hours the captain came, accompanied by Captain Provost, the British, and Mr. Campbell, the United States commissioner.

I informed Captain Hornby that I had landed that morning with a force of United States troops, and explained to him the reason why I had not landed at the wharf, under the guns of the frigate. I also said to him that I regretted that Captain Pickett had been so much harassed and threatened in the position he had occupied.

I inquired of Captain Hornby who the officer highest in command was, and where he was to be found. He said it was Admiral Baynes, and that he was then on board the flag-ship "Ganges," in Esquimault harbor. I intimated a wish to have a conference with the admiral, and that I would go down to Esquimault the next day for the purpose of the interview. Both the captain and the British commissioner seemed pleased. The next day, accompanied by Captain Pickett (both of us in full uniform) and Mr. Campbell, I went down to Esquimault on the steamer Shubrick. We anchored near the "Ganges," and I sent to the admiral, by an officer, the note marked "A." I received in reply the note marked "B." The note marked "C" was taken on board by Captain Pickett and handed to the admiral in person. The captain was courteously received by the admiral. Governor Douglas was present in the cabin. After reading the note the admiral handed it to the governor. The governor inquired if I knew he was on board the ship. The captain replied that he had no reason to suppose I did, but that I had not sought an interview with him, but with the admiral. The captain informed the admiral that the steamer was then firing up, but that I would be happy to wait should he then decide to give me the conference. It was declined, but the admiral reiterated his desire that he would be happy to see me on board the ship. I was of the opinion that I had carried etiquette far enough in going 25 miles to see a gentleman who was disinclined to come 100 yards to see me.

The proposition which I intended to have made the admiral was this: to calm the rising excitement on both sides among the people, and to give time for the intentions of the home government to be made known in regard to the matter. I intended to propose that in case he, the admiral, would pass his word on honor that no threats should be made or molestation given by the force under his command for the purpose of

preventing Captain Pickett from carrying out the orders and instructions with which he is intrusted, I would recommend to the commanding general the withdrawal of the reinforcement which had landed on the island under my command, and that affairs should so remain until the sovereign authorities should announce their intentions. I have so far had no further intercourse with any of the officers of the fleet. Lieutenant Kellogg, 3d artillery, being at Fort Steilacoom on the reception of your order, I directed him to accompany me in charge of the artillery. I trust that, under the circumstances, the general commanding will approve my course in the matter.

The "Massachusetts" arrived to-day with Major Haller's command on board. Inasmuch as most of the subsistence stores here are spoiled having been damaged on board the "Massachusetts" before she landed them at Bellingham Bay, and the articles of the quartermaster's department being required, I shall direct the "Massachusetts" to proceed as soon as the guns can be landed, to Fort Townsend, and take from there all the public property, leaving a sergeant and two or three privates to take care of the buildings and garden.

I enclose a list of the ships and men which the British have in this vicinity. I would advise that the general send an officer express to San Francisco, requesting the naval captain in command to send up any ships-of-war he may have on the coast. It is not pleasant to be at the mercy of any one who is liable at any moment to become your open enemy. The British have a sufficient naval force here to effectually blockade this island when they choose. I do not know what the intentions of the British naval authorities with respect to this island are. I shall resist any attack they may make upon my position. I request that five full companies of regular troops, with an officer and engineers and a detachment of sappers, be sent here as soon as possible. Let Lieutenant Kellogg's be one of the companies. I have enclosed copies of communications from Major Haller with regard to his operations with the Indians. I think the major exercised a commendable enterprise in his operations, and that there will be no further difficulty.

Very respectfully, your obedient servant,

SILAS CASEY,

Lieutenant Colonel 9th Infantry

Captain ALFRED PLEASANTON,

Acting Assistant Adjutant General, Fort Vancouver, W. T.

[Enclosures.]

1. Colonel Casey to Admiral Baynes, August 11.
2. Admiral Baynes to Colonel Casey, August 11.
3. Colonel Casey to Admiral Baynes, August 11.
4. Statement of British forces at San Juan.

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UNITED STATES STEAMER SHUBRICK,
Esquimault Harbor, W. T., August 11, 1859.

Lieutenant Colonel Casey, United States army, commanding the forces on San Juan island, presents his compliments to Admiral Baynes, commanding her Britannic Majesty's naval forces on the Pacific coast, and would be happy to meet the admiral in conference on board the United States steamer Shubrick, in the harbor, at his earliest convenience.

11b.
2

"GANGES,"
Esquimault, W. T., August 11, 1859.

Rear-Admiral Baynes presents his compliments to Lieutenant Colonel Casey, and regrets that circumstances prevent him doing himself the honor of meeting Lieutenant Colonel Casey on board the Shubrick. But Rear-Admiral Baynes will have great pleasure in receiving Lieutenant Colonel Casey, or any one who may wish to accompany him on board the Ganges.

Lieutenant Colonel CASEY,
United States Army.

11b.
3

UNITED STATES STEAMER SHUBRICK,
Esquimault Harbor, W. T.

Lieutenant Colonel Casey regrets that circumstances prevent Rear-Admiral Baynes from accepting his invitation to meet him on board Shubrick according to his request.

11 b.
4

*Her Britannic Majesty's Fleet at Vancouver's Island and in its vicinity,
Rear-Admiral Baynes commanding.*

Name of vessel.	No. of guns.	Men.	Name of captains.
Flag-ship Ganges.....	84	840	Slavel.
Tribune.....	31	325	Geoffrey Phipps Hornby.
Pylades.....	21	325	De Courcey.
Satellite.....	21	325	James Prevost.
Plumper.....	10	125	Richards.
	164	1,940	

The Tribune, now at anchor in the harbor of San Juan has, in addition to her own crew, a detachment of sappers and miners and marines brought down from Frazer's river on the 30th July, by the steamer Plumper, numbering 200; total, 2,140.

The relative calibre of the Ganges guns unknown; she is one of the old-fashioned line of battle-ships, thirty-five years old. Tribune has twenty-two 32-pounders, nine 68-pounders, one of them a pivot gun. Pylades and Satellite are 68-pounders, twenty broadside, one pivot; they are the new class of corvettes, of which the English are building a great number.

Plumper is a surveying vessel; the armament is comparatively light, the guns are all 32-pounders.

On board the fleet there are above five hundred troops, one hundred of that number being sappers and miners, the rest marines.

11 c.

HEADQUARTERS CAMP PICKETT,
San Juan Island, W. T., August 14, 1859.

CAPTAIN: I have the honor to acknowledge the receipt of your two communications dated the 8th of August, and also Special Orders No. 82. Since my last nothing of moment has transpired. The "Tribune" and "Satellite" are now in the harbor, with their broadsides on the landing. I have not been informed what the intentions of the British force in these waters are, but am of the opinion, however, that they have concluded to wait for further instructions from higher authority before any violence is attempted. However, it is a wise maxim "to be prepared for the worst, while hoping for the best." I shall accordingly direct the four companies of artillery at Steilacoom to join me at once. In a former communication I asked for five com-

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nies and an engineer officer, with a detachment of sappers. I would like to have them sent around on board the United States steamer "Active," which Captain Alden has kindly placed at my disposal for carrying this despatch. The service of the engineer officer and the detachment of sappers would most probably be required but a short time. We are encamped in rather an exposed situation with regard to the wind, being at the entrance to the Straits of Fuca. The weather, at times, is already quite inclement. To maintain the object of our occupation I do not, however, from my present information, think it advisable to change my position. I have enclosed requisition for "Sibley" tents, with stoves and quartermaster's stores, which I would like to be forwarded by the "Active" on her return. I have also enclosed a requisition for subsistence stores, which should be sent to Fort Steilacoom as soon as they can be supplied from San Francisco. In view of the possible contingencies of the service, it was my intention to draw from Steilacoom, as a depot, supplies as they would be needed. The "Massachusetts" landed her guns and ammunition yesterday. I have directed that she leave to-day for Port Townsend and bring all the supplies from the port to this point, leaving there a sergeant and two men to take care of the public buildings and garden. I shall place the 32-pounders in position as soon as possible. With our present appliances I find them rather difficult to manage.

Very respectfully, your obedient servant,

SILAS CASEY, *Lt. Col. 9th Infantry,*
Commanding U. S. troops on San Juan Island.

Capt. ALFRED PLEASANTON, *A. A. Adj't Gen'l,*
Headquarters Dep't of Oregon, Fort Vancouver, W. T.

11 d.

HEADQUARTERS DEPARTMENT OF OREGON,
Fort Vancouver, W. T., August 16, 1859.

COLONEL: The general commanding has received your reports of the 12th and 14th instants, and accompanying papers, and instructs me to reply as follows:

The supplies and stores required for the command at San Juan Island will be forwarded as soon as practicable; the camp and garrison equipage will be shipped on the "Active."

The course pursued by you in ordering the four companies from Steilacoom to San Juan Island is approved.

A detachment of engineers will be sent you by the mail steamer. In the meantime have platforms made for your heavy guns, and cover your camp as much as possible by intrenchment, placing your heavy guns in battery on the most exposed approaches; the howitzers to be used to the best advantage with the troops, or in the camp, according to circumstances.

Select your position with the greatest care to avoid the fire from the British ships. In such a position your command should be able to

defend itself against any force the British may land. The general has requested a naval force from the senior officer on this coast, and has notified General Clarke, as well as the authorities at Washington, of the existing state of affairs on the sound. Troops and supplies will be sent to you as fast as they can be collected.

The general regrets, under all the circumstances, your visit to Esquimault harbor to see the British admiral, but is satisfied of your generous intention towards them. He instructs you for the future to refer all official communication desired by the British authorities to these headquarters, informing them at the same time that such are your orders. It is almost needless to inform you that the subjects of Great Britain on San Juan island will be treated with the same consideration and respect as that shown to our own citizens.

I am, colonel, very respectfully, your obedient servant,
A. PLEASANTON,
Capt. 2d Dragoons, A. A. Adj't Gen'l.
Lieut. Col. S. CASEY, 9th Infantry,
Com'd'y U. S. Troops, San Juan Island, Puget's Sound.

11 e.

EXECUTIVE OFFICE, OLYMPIA, W. T.,
August 11, 1859.

SIR: By yesterday's mail I had the honor of receiving your favor of the 7th instant, enclosing copies of your "orders to Colonel Casey," "the proclamation of Governor Douglas, and your reply to the same."

Reciprocating the frankness of your communication, I have to reply that, should the contemplated emergency arise, your just expectations of the course to be pursued by myself shall *not* be disappointed, and that, in such an event, I have an abiding faith that the citizens of this Territory will with enthusiastic alacrity respond to any call necessary for the defence of individual rights, the rights of their country, or their country's honor.

I am, general, most respectfully, your obedient servant,
R. D. GHOLSON,
Governor Washington Territory.
Brigadier General W. S. HARNEY,
Headquarters Department of Oregon, Fort Vancouver, W. T.

11 f.

HEADQUARTERS DEPARTMENT OF OREGON,
Fort Vancouver, W. T., August 16, 1856.

MY DEAR SIR: Your communication of the 14th instant has just been received, and I hasten to place you in possession of the facts connected with the occupation of San Juan island by some of the troops of my command. This step would have been taken before, but I was informed you were *en route* to Washington.

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COLONEL: I ha
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Vancouver; also

I enclose, for your information, a copy of a protest issued by Governor Douglas, commander-in-chief of the island of Vancouver, to the occupation of San Juan island, and claiming the sovereignty of said island for the crown of Great Britain; also a copy of my letter to Governor Douglas in reply to his protest.

You will perceive that in my reply to Governor Douglas I charge the British authorities of Vancouver's island with having violated the rights of American citizens on the island of San Juan in such a manner and by such means as to leave me no other alternative than to occupy the island for the protection of American interests. In assuming this responsibility I was careful to state distinctly and fully to Governor Douglas the position of my troops on the island of San Juan; and I reiterate to you that the relative claims of the two countries have had nothing to do in the assignment of the troops in question. The British authorities chose to violate treaty stipulations made in good faith, and maintained by the United States in good faith, by attempting to arrest an American citizen on San Juan island to carry him to Victoria to be tried by British laws. To prevent a repetition of this outrage, until the government of the United States could be apprised of it, I have placed troops on the island, with such orders as I have deemed necessary to effect this object.

Among other things you have been pleased to inform me that you have authorized Colonel Casey to call for volunteers, and that you "feel assured of my cordial co-operation whenever an emergency may demand it."

With the question of boundary between the United States and Great Britain, I disclaim having done anything with respect to it in occupying San Juan island. Great Britain has no sovereignty over American citizens on San Juan island, and every attempt made by her authorities to advance such claims I shall resist, until further orders from the President, to whom I have submitted the whole matter; in the meantime I hope the labors of your joint commission will be prosecuted amicably and successfully, for I can assure you that no one is more desirous of facilitating your labors than myself.

I am, sir, with high respect, your obedient servant,

W. S. HARNEY,

Brigadier General, Commanding.

ARCHIBALD CAMPBELL, Esq.,

United States Commissioner Northwest Boundary.

Harbor San Juan Island, Puget's Sound.

12. *General Harney to the Adjutant General.*

HEADQUARTERS DEPARTMENT OF OREGON,

Fort Vancouver, W. T., August 25, 1859.

COLONEL: I have the honor to enclose a copy of a despatch from his excellency Governor Douglas, of her Britannic Majesty's island of Vancouver; also a copy of my reply to the same, both of which papers

I request may be submitted for the information of the President of the United States, at your earliest convenience.

Governor Douglas denies that the British authorities of Vancouver's island were cognizant of the outrage attempted upon an American citizen on San Juan island, as reported in my communication to the headquarters of the army, of July 19, and my letter to you of the 7th instant. This denial, couched as it is in strong language, does not explain how a British ship-of-war did convey Mr. Dallas, the chief factor of the Hudson's Bay Company, and son-in-law of Governor Douglas, to San Juan island; that Mr. Dallas landed and threatened an American citizen by the name of Coulter, with imprisonment at Victoria, to which place he would be taken in the ship-of-war waiting for him. This threat was not put into execution for the reason that Coulter told Mr. Dallas if it was attempted he would kill Mr. Dallas on the spot. But Mr. Dallas having left the island in the ship-of-war, the conclusion is irresistible that Mr. Dallas either had the ship-of-war under his control by some direct authority from the British authorities, or he was acting independent of that authority in the exercise of powers delegated to him elsewhere.

If Mr. Dallas can use a British ship-of-war to overlook the interests of the Hudson's Bay Company on this coast, without the authority of Governor Douglas or the British admiral, which is just what he has done, according to the facts and Governor Douglas' despatch, then the interests and rights of our citizens have been in greater jeopardy than I have heretofore supposed, and the necessity of retaining the occupation of San Juan island is still more imperative.

Governor Douglas has opposed the occupation of San Juan on the ground of sovereignty, and lays great stress upon Mr. Marcy's despatch of July 17, 1855, to her Majesty's minister at Washington.

In a communication to Commissioner Campbell, of the northwest boundary survey, I have disclaimed any intention of asserting any sovereignty over the island of San Juan, beyond that which the necessity of the case has demanded. A copy of this communication has already been sent to you.

Mr. Marcy's instructions in reference to the conduct of officers of the two governments never contemplated the case of a direct aggression on the rights of our people, backed by so powerful a naval force as to create strong surmises of its intentions. Indeed, so extraordinary has been the course of conduct of the British in reference to San Juan, and so evident has been their design to force our people from the island, that I should consider I had been recreant to the high trust imposed on me, in not taking possession of the island, it being the only position from which we could defend our rights to advantage.

Eight companies are now on the island with eight 32-pounders landed from the steamer Massachusetts. A detachment of engineer troops are engaged with the troops in constructing a field-work to defend their position, at the same time protect them from any attack from the water. This command is fully supplied for over two months and is considered now to be able to hold its own in the event of any difficulty until reinforcements could arrive.

I enclose a copy of Governor Douglas' message to the legislature

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Vancouver's island; also of "The British Colonies," the government paper published at Victoria, giving an account of the proceedings of the assembly in relation to San Juan; also an editorial, complaining that an error had been committed by somebody on their side. Our quick-witted people were aware of that fact nearly two months ago.

I am, colonel, very respectfully, your obedient servant,

WM. S. HARNEY,
Brigadier General Commanding.

Colonel S. COOPER,

Adjutant General U. S. Army, Washington City, D. C.

12 a.

GOVERNMENT HOUSE,
Victoria, Vancouver's Island, August 13, 1859.

SIR: On the evening of the 10th instant I had the honor of receiving your despatch, dated Fort Vancouver, August 6, 1859.

2. In reply thereto, I must thank you for the frank and straightforward manner in which you communicate to me your reasons for occupying the island of San Juan, on the Haro archipelago, with a portion of the military forces of the United States under your command.

3. I am glad to find that you have done so under your general instructions from the President of the United States as military commander of the department of Oregon, and not by direct authority from the cabinet at Washington.

4. You state that the reasons which induced you to take that course are the "insults and indignities which the British authorities of Vancouver's island and the establishment of the Hudson's Bay Company have recently offered to American citizens residing on the island of San Juan, by sending a British ship-of-war from Vancouver's island to convey the chief factor of the Hudson's Bay Company to San Juan, for the purpose of seizing an American citizen and forcibly transporting him to Vancouver's island to be tried by British laws."

5. I will explain for your information that the agents of the Hudson's Bay Company hold no official position in Vancouver's island, nor exercise any official power or authority, and are as entirely distinct from the officers of the executive government as are any of the other inhabitants of Vancouver's island.

6. To the reported outrage on an American citizen I beg to give the most unhesitating and unqualified denial.

None of her Majesty's ships have ever been sent to convey the chief factor or any officer of the Hudson's Bay Company to San Juan for the purpose of seizing an American citizen, nor has any attempt ever been made to seize an American citizen and to transport him forcibly to Vancouver's island for trial, as represented by you.

7. Up to a very recent period but one American citizen has been resident on San Juan. About the commencement of the present year

a few American citizens began to "squat" upon the island, and upon one occasion a complaint was made to me by a British subject of some wrong committed against his property by an American citizen, but no attention was paid to that complaint out of consideration and respect to the friendly government to which the alleged offender belonged, and whose citizens, I think, it cannot be denied, have always been treated with marked attention by all the British authorities in these parts.

With reference to San Juan, in particular, I have always acted with the utmost caution, to prevent, so far as might lie in my power, any ill feeling arising from collisions between British subjects and American citizens, and have in that respect cordially endeavored to carry out the views of the United States government as expressed in a despatch from Mr. Marcy, dated 17th July, 1855, to her Majesty's minister at Washington, a copy of which I herewith enclose for your information, as I presume that the document cannot be in your possession.

8. Following the dignified policy recommended by that despatch, I should, in any well-grounded case of complaint against an American citizen, have referred the matter to the federal authorities in Washington Territory, well assured that if wrong had been committed reparation would have followed.

9. I deeply regret that you did not communicate with me for information upon the subject of the alleged grievance; you would then have learned how unfounded was the complaint, and the grave action you have adopted might have been avoided. I also deeply regret that you did not mention the matter verbally to me when I had the pleasure of seeing you at Victoria last month; for a few words from me would, I am sure, have removed from your mind any erroneous impressions, and you would have ascertained personally from me how anxious I have ever been to co-operate to the utmost of my power with the officers of the United States government in any measures which might be mutually beneficial to the citizens of the two countries.

10. Having given you a distinct and emphatic denial of the circumstances, which you allege induced you to occupy the island of San Juan with United States troops; having shown you that the reasons you assign do not exist, and having endeavored to assure you of my readiness on all occasions to act for the protection of American citizens and for the promotion of their welfare, I must call upon you, sir, if not as a matter of right at least as a matter of justice and of humanity, to withdraw the troops now quartered upon the island of San Juan, as those troops are not required for the protection of American citizens against British authorities, and the continuance of those troops upon an island, the sovereignty of which is in dispute, not only is a marked discourtesy to a friendly government, but complicates to an undue degree the settlement in an amicable manner of the question of sovereignty, and is also calculated to provoke a collision between the military forces of two friendly nations in a distant part of the world.

I have the honor to be, sir, your most obedient servant,

JAMES DOUGLAS

Brigadier General W. S. HARNEY,

Commanding the troops in the Department of Oregon.

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HEADQUARTERS DEPARTMENT OF OREGON,
Fort Vancouver, W. T., August 24, 1859.

SIR: I have the honor to acknowledge the receipt of your communication of the 13th instant, which came to me by mail this morning. The copy of Mr. Marcy's despatch of the 17th July, 1855, to her Majesty's minister at Washington, stated to be in your communication enclosed, was not received. This I presume was an accidental omission in the transmission of your letter.

It was with pleasure I received from your excellency a prompt disavowal of any intention on the part of the British authorities of Vancouver's island to commit any aggression upon the rights of American citizens residing on San Juan island, and I desire to communicate to you that I shall forward this despatch by the first opportunity to the President of the United States, to enable him to consider it in connection with all the facts duly reported to him, attending the occupation of San Juan island by a portion of the troops under my command.

Your excellency has been pleased to express how anxious you have ever been to co-operate with the officers of the United States government in any measures which might be mutually beneficial to the citizens of the two countries, and your regret is signified, that communication with you on the subject of the occupation of San Juan island had not been sought during my late agreeable visit to your excellency at Victoria.

I beg to offer in reply that I have cordially reciprocated the sentiments of friendship and good will you have manifested towards American interests from the period of my service with this command. In that time I have on two different occasions notified the government of the United States of your acts affecting our citizens in terms of commendation and praise as assurances of a proper appreciation of the confidence reposed by my government in that of her Majesty. On my late visit to Victoria I was without knowledge that any occurrence had taken place on San Juan island to outrage the feelings of its inhabitants, else I should then have informed your excellency what I conceived it became incumbent for me to do under such circumstances.

The explanation your excellency has advanced, while it serves to remove the impression at first created of a direct action on the part of the British authorities of Vancouver's island in the recent occurrences on San Juan island against the rights of our citizens, does not expose any evidence of a preventive nature to a repetition of the acts which have caused so serious a misunderstanding in the minds of the American people on San Juan island; nor has the course which events have taken since the occupation of the island by the troops of my command been of such character as to reassure these people, could the contents of your despatch be announced to them.

From what has taken place, I do not feel myself qualified to withdraw the present command from San Juan island, until the pleasure of the President of the United States has been made known on the subject; I can, however, frankly assure your excellency that the same motives which have induced me to listen to the appeals of my own

countrymen will be exerted in causing the rights of her Majesty's subjects on San Juan to be held inviolate.

I have the honor to be, very respectfully, your obedient servant,
W. S. HARNEY,

Brigadier General United States Army Commanding,
His excellency JAMES DOUGLAS,
C. B., Governor of Vancouver's Island
and its dependencies, Vice-Admiral of the same, &c.

12 c.

GOVERNMENT HOUSE,
Victoria, August 3, 1859.

*To the Legislative Council and House of Assembly
of the Colony of Vancouver's Island:*

GENTLEMEN: I have to communicate for your information the intelligence of the landing of a detachment of United States troops on the island of San Juan, avowedly (see enclosed Nos. 1 and 2) for the purpose of forming a military post, and of asserting the sovereignty of the United States to that island. Having received no information from any quarter that the United States ever contemplated taking military possession of any part of the disputed territory, while the boundary line remained unsettled, I am forced to believe that the late unwarrantable and discourteous act, so contrary to the usages of civilized nations, has originated in error, and been undertaken without the authority of that government. That impression is corroborated by a letter (a copy of which is here enclosed) from the Hon. W. L. Marcy, Secretary of the United States, dated Washington, July 12, 1855, in which Majesty's minister at Washington, which contains instructions from the President of the United States to the governor of Washington Territory, and displays, in the clearest manner, the conciliatory and moderate views entertained by his government on the subject of the disputed territory.

Though the right of Great Britain to all the islands situated to the westward of "Vancouver" or "Rosario" straits is, to our minds, clearly established by the first article of the treaty of 1846, and though those islands have, since the foundation of this colony, been considered as a dependency of Vancouver's island, it is well known to you, gentlemen, that out of respect to the construction that has been put upon that treaty by the government of the United States we have abstained from exercising exclusive sovereignty over them. Convinced that an assumption, on either side, of exclusive right to the disputed territory would simply be a fruitless and mischievous waste of energy, neither detracting from nor adding force to the claims of either nation, and considering policy enjoins upon us the part of leaving so important a national question for settlement by the proper authorities, and avoiding complications foreign to the views and wishes of and probably embarrassing to both governments. Immediately on being informed of the landing of the United States troops at San Juan, I

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her Majesty's ship "Tribune," under the command of Captain Hornby, as despatched to that quarter, and soon after a detachment of royal engineers and royal marine light infantry were ordered from New Westminster by her Majesty's ship "Plumper," Captain Richards, and those troops will be landed at San Juan to protect the lives and property of British subjects. You will observe, gentlemen, from enclosure No. 1, that the captain in command of the United States detachment of troops, in a public notice, dated July 27, assumes the exercise of exclusive sovereign rights in the island of San Juan, while the President of the United States altogether disclaims such pretensions, and seeks at most to continue the joint right of sovereignty and remain in common with Great Britain. We may presume from that circumstance that the notice in question was framed in ignorance of the intentions of the United States government, and that the pretensions set forth will not be maintained. Entertaining such opinions, I have not failed to impress on her Majesty's naval officers now stationed at San Juan the desire of her Majesty's government to avoid every course which may unnecessarily involve the suspension of the amicable relations subsisting between Great Britain and the United States. At the same time, those officers have been instructed and are prepared to assert the rights and to maintain the honor and dignity of our sovereign and her dominions.

I have the honor to be, gentlemen, your most obedient servant,

JAMES DOUGLAS.

12 d.

[From the "British Colonist," Victoria, August 17, 1859.]

REPLY TO GOVERNOR'S MESSAGE ABOUT SAN JUAN.

VICTORIA, VICTORIA'S ISLAND,

House of Assembly, Friday, August 12, 1859.

Mr. Speaker, learning that neither Mr. Skinner nor Mr. Pemberton intended to insist on their motion as regards San Juan, had prepared reply to the message. He considered that a great mistake had been made by the government in sending out men to settle the boundary. Common sense and dollars should have been sent. The dollar the Americans worship. If dollars had been used, a different interpretation of the treaty might have been made. Why not have made proceeding a mere mercantile affair and paid the commissioner? Then the island would have been ours, and the Americans would have clearly been in the justice of our claim. But a general on his own authority invaded our territory. His grounds for doing so were based on neighborhood and carried out clandestinely. What more could be expected of a man who has spent a lifetime in warring with Indians? But what is to be done? His excellency sends troops and ships. Why at this expense and show, if for parade? Why were not the troops added? Instead of fighting, her Majesty's captains take to diplomacy

It shames me to think that the Satellite was running around after Commissioner Campbell. I am ashamed to think that post captains were holding a pow-wow with a subaltern of the American army. They should have landed their troops and avoided all degrading negotiations. But more troops have landed, in spite of post captains and admirals. (Here he read some extracts from the Blue Book of British Columbia enjoining the necessity of accustoming the colonists to defend themselves.) Yes, a militia must be raised. We must defend ourselves, for the position we occupy to-day would make the iron monument of Wellington weep, and the stony statue of Nelson bend his brow.

The reply to the message was then read. Mr. Yates agreed with part of the address, but could not understand why the honorable speaker had said in it that the time to land troops has gone by. His motion is to learn why they were not landed. The time to land them was when there was no danger of blood being shed. Now, perhaps the case is different.

Mr. Pemberton. I am not sure that the time to land troops has gone by. If it has not, I recommend his excellency to land them. The portion of the address in relation to militia I would leave out. If we asked the home government for arms for the militia they would be likely to send us some old muskets from the Tower one hundred and fifty years old. No allusion has been made to British subjects occupying the island. I think it necessary.

Mr. Speaker. I think there was a council on board the flag-ship. His excellency was present. Negotiations was the object, perhaps. American officers had arrived on the Shubrick. I would not hold negotiations with so dishonorable a man as Campbell. I have not said anything in the address about San Juan as the key to British Columbia. I leave that to his excellency.

Mr. Yates preferred negotiation to war. I believe the powers that be have been too slow, and put the governor in a false position. My motion is to learn who is to blame.

Mr. Pemberton believed a few soldiers, if supported by a man-of-war, could land without danger of collision.

Mr. McKay was favorable to landing troops at all hazards.

Mr. Speaker had no doubt the naval officers had said: Now, Mr. Pickett, will you allow us to land?

Mr. Pemberton thought the colony would be benefited by the difficulty. A large naval station would be built here, and everything would be removed from Valparaiso.

Mr. Speaker thought the honorable member very patriotic in taking such an interested view of the question. He cared nothing for the paltry local advantages. It is a national question, and in that light alone he looked at it.

Mr. Pemberton proposed the occupation of Lopez island by British troops.

After some amendments to the address, the following to the governor's message was then adopted:

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ADDRESS.

The house acknowledges the receipt of your excellency's communication of the 3d instant, relating to the clandestine invasion of San Juan Island by United States troops and the steps to be adopted in relation thereto.

Since that communication it is well known that additional forces have been landed.

The house would therefore inquire why the British forces were not ordered, to assert our just right to the island in question, and to uphold the honor of our country and our Queen.

The house would most urgently impress upon your excellency to urge upon her Majesty's government the necessity of demanding from the government of the United States not only immediate withdrawal of those troops, but also strenuously and at all risks to maintain her right to the island in question, and also to all other islands of the same archipelago now so clandestinely, dishonorably, and dishonestly invaded.

It is not for our country to be wantonly and insolently insulted, but redress must be demanded.

The weakness of the colony is its greatest danger, and, at the same time, an inducement for the repetition of similar offences by similar persons. Let it, therefore, be urged upon her Majesty's government that sending out colonists rapidly from Great Britain is the surest way, not only of maintaining peace, but of preserving intact her Majesty's possessions. Coupled with this, the house would propose that free and liberal grants of land be given to such emigrants after residing thereon for a certain time.

12 c.

[From the "British Colonist," Victoria, August 17, 1859]

WHY WERE NOT TROOPS LANDED AT SAN JUAN?

In our first page will be found the assembly debate on the governor's message in relation to landing soldiers on San Juan. From the strictures passed on our naval officers by the speaker, who is in as the exponent of the government, it is evident that a serious difference of opinion as to our policy exists between the naval and civil authorities. It is difficult to imagine how so high an official could use such language except from information derived from official sources; and it is still more difficult to believe, as suggested by the speaker during debate, that the naval authorities had refused to obey when they had no discretionary instructions. If they had full discretionary instructions to land, the unenviable position of the government, since the publication of the message, is justly chargeable to them. If, on the other hand, they were governed by discretionary instructions, the blame lies against the commander's of her Majesty's ships for equivocal

conduct is justly reprehensible. No future explanation, however, can explain away the palpable inference which will be drawn from the language used in debate.

An error has been committed by somebody. Either the administration should have been satisfied with a pacific policy, manifested by serving the United States authorities with a formal protest or an assertion of our sovereignty in the first place, and then have allowed the matter to rest until despatches were received from the imperial government; or it should at once have landed troops on the island, without making such a display of force or asking permission. We confess that we are not disposed to accept peace at any price; for if that were the case, cowardice would be the safest policy. We do, however, concur with the opinion expressed in the message that our forces should have been landed. The Americans took the ground that their citizens required protection, and that they landed troops with that object. Now, in order to protect British subjects on the island, we also should have done the same. Then our position would have been exactly similar to theirs. On this high ground, had bloodshed followed, we could have appealed to the world, with right on our side, certain of a verdict in our favor. As it is, the Americans have been allowed to strengthen their forces with men, munitions of war, and settlers, and actually occupy private property long in the possession of British subjects, whilst we, apparently divided in our councils, have made a grand and useless parade, and done nothing but render ourselves ridiculous. Whoever are the parties, or whatever are the causes why a vigorous and firm policy has not been pursued, it is certain an explanation is due to account for the charges made against the naval forces in the waters.

In the meantime some action ought to be taken by the people to show the deep interest we have in San Juan, and that we are determined to protect our fellow-subjects on the island. In addition, it is necessary to arouse our sister colonies to the importance of the island to British America, and show to the imperial government the necessity of holding the island to guard the overland transit from Great Britain to her Asiatic dependencies.

It matters not what may or may not have been said by British or American statesmen in relation to the reputed claims to Canal de Haro or Rosario straits. We are forced to abide by the treaty. If the United States knew all about Canal de Haro at the time of the treaty, and that the line was deflected from the 49th parallel, so as not to divide the sovereignty of this island, then why was it not named in the boundary? On the other hand, had Rosario strait been thoroughly known and fixed on as the channel by the negotiators, it would have been in the treaty. Finding neither one nor the other there; finding no *ship* channel or *main* channel named in the treaty, but finding two channels leading north from the Straits of Fuca, and that the only channel named in the treaty is that which separates the continent from this island, we see no way for a pacific adjustment, except making the Washington channel, between San Juan and Lopez, the boundary. That we justly claim.

COLONEL: I referred to instant, which note from W. of the sa. My commun Douglas before the instruction on the ques over's island Douglas of th. r. Marcy's d. tant.

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13. *General Harney to the Adjutant General.*

HEADQUARTERS DEPARTMENT OF OREGON,
Fort Vancouver, W. T., August 29, 1859.

COLONEL: I have the honor to enclose a copy of Mr. Marcy's despatch,* referred to in Governor Douglas' communication to me of the 13th instant, which was received on the night of the 27th instant, with a note from William A. G. Young, esq., acting colonial secretary, a copy of the same being also enclosed.

My communication of the 24th instant had been sent to Governor Douglas before Mr. Young's note and its enclosure were received. The instructions of this document from Mr. Marcy have no bearing upon the question at issue between the British authorities of Vancouver's island and myself at this time; and my answer to Governor Douglas of the 24th instant would appear as it is, had this copy of Mr. Marcy's despatch accompanied the Governor's letter of the 13th instant.

The spirit of Mr. Marcy's instructions, when carried out in good faith by the functionaries and citizens of both countries, I not only most heartily approve, but I am satisfied my conduct will stand the most critical and searching investigation in the support of that approval.

From the time of my assuming the command of this department until the occupation of San Juan island I was most careful neither to increase nor change the position of the force on Puget's Sound, that there might be no misconceptions of my acts on the part of the British, the good faith which animated me in the observance of treaty stipulations. Time and again our light-houses were attacked, and the wives and children of our citizens on that coast were brutally murdered by British Indians. Reports reached me that these Indians had been instigated to these acts by the Hudson's Bay Company, in order to drive them from the lands which this immense establishment covet for their own purposes. I was well aware of the extent and power of this great commercial monopoly, second only to the East India Company, which has crushed out the liberties and existence of so many nations in Asia, and committed barbarities and atrocities for which the annals of crime have no parallel. I knew the exacting policy of the Hudson's Bay Company would not hesitate to adopt any measure deemed necessary to insure their success, for their history has shown this, and the history of our wars with England establish the fact that an Indian alliance is their first requirement. With all these truths before me, I was still reluctant to believe that the Hudson's Bay Company would attempt the violation of the solemn obligations of a treaty, or that the British authorities would permit any action to be taken by the Hudson's Bay Company, in case an attempt was desired by them. I grieve, then, of my astonishment and mortification in my late visit to San Juan to find an unworthy advantage had been taken of my forbearance to outrage our people in the most insulting manner.

*See Nos. 1 and 2 of these papers

For this thing was not done in a corner, but in open day. A British ship-of-war lands Mr. Dallas, the chief factor of the Hudson's Bay Company, who abuses one of our citizens in the harshest manner, and threatens to take him by force to Victoria for trial and imprisonment. Finding the citizen resolute in the defence of his rights, the Americans were informed the British Indians would be sent down upon them to drive them from the island. I shall substantiate these facts by the affidavits of American citizens of such position and character as cannot leave a doubt of their truth, and showing the attempted denial of Governor Douglas in his communication of the 13th instant is only a quibble. These affidavits would have been sent before this, but the disturbances at San Juan and the difficulty of communication in this country have delayed their completion.

It is proper also that I should inform you that Captain Alden, of our navy, commanding surveying steamer Active, has reported to me a conversation which he held with Governor Douglas since the occupation of San Juan, in which conversation Governor Douglas stated that, in the event of a collision between the forces of the two countries, he would not be able to prevent the northern Indians from driving our people from the island. This intimation from Governor Douglas is significant, as indicating the conception of such an action originated before the occupation of the island, and was the foundation of the reports of our people throughout the winter, that I did not consider at the time of sufficient importance as to notice in my official reports. From all the events that have occurred before and since the occupation of San Juan island, I am convinced the British government have instituted a series of acts aiming at the eventual sovereignty of San Juan island, in consequence of its paramount importance as a military and naval station. Its position, in connexion with the island adjacent to it, has induced the English to call it the Cronstadt of the Pacific, and with good reason, for the power that possesses it will command a supremacy on this coast.

In the occupation of San Juan I have assumed a defensive position against the encroachments of the British, either by authority or through the medium of their Indians, upon the rights, lives, and property of our citizens. I was influenced by no other motive in placing troops upon the island.

In the matter of ownership, I have carefully investigated the treaty of 1846, defining the boundary between Great Britain and the United States, and I have also personally examined the premises in question under the fairest auspices, and I fearlessly assert a stronger title can not exist than that which the treaty of 1846 establishes for the United States in San Juan, nor do I believe the British would have ever attempted the hazardous game they are now playing but for the immense prize at stake.

I am, colonel, very respectfully, your obedient servant,
WM. S. HARNEY,
Brigadier General, Commanding.

Colonel S. COOPER,
Adjutant General, Washington City, D. C.

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14. *General Harney to General Scott.*

HEADQUARTERS DEPARTMENT OF OREGON,
Fort Vancouver, W. T., August 30, 1859.

SIR: I have the honor to enclose, for the information of the general-in-chief, copies of two reports from Lieutenant Colonel Casey, 9th infantry, commanding on San Juan island.

These reports convey all the intelligence received from San Juan since my report to you of the 18th instant.

The number of troops forming Colonel Casey's command at this time is as follows:

companies A and C, 4th infantry, and "H" of the 9th.....	139
companies A, B, D, and M, of 3d artillery.....	181
company D, 9th infantry.....	66
company "I," 4th infantry.....	64
detachment of company "A," engineers.....	11
Aggregate.....	<u>461</u>

Besides this force, Colonel Casey has with him eight 32-pounders, which I ordered to be taken from the steamer *Massachusetts*.

The ammunition for these guns consists of round shot—grape and minister. Captain Pickett's company took with them to the island the 6-pounder and two mountain howitzers, and Colonel Casey's company from Steilacoom increased that number by three mountain howitzers.

This command is busily engaged placing its position under intrenchment, and has been amply supplied with everything necessary and requisite to maintain itself for nearly three months. From the command of the island, and the position occupied by the troops, the English ships could not remain in the harbor under a fire from the 32-pounders, but would be compelled to take distance in the sound, whence they could only annoy us by shells, which would be ineffectual. The English have no force that they could land which would be able to dislodge Colonel Casey's command as now posted.

There is a rumor current that Rear-Admiral Baynes has countermanded Governor Douglas's orders to attempt a landing on San Juan Island; nothing official on the subject has reached me.

I am, sir, very respectfully, your obedient servant,

WM. S. HARNEY,
Brigadier General, Commanding.

ASSISTANT ADJUTANT GENERAL,
Headquarters of the Army, New York City.

14 a.

HEADQUARTERS CAMP PICKETT,
San Juan Island, W. T., August 22, 1859.

CAPTAIN: I have the honor to report that I received by the "Active," Captain Alden, the general's instructions of the 15th of August.

After a personal examination of the ground within a few miles of the harbor, I have taken up a position for a camp, which I think above all others, will fulfil many of the conditions which I wished to obtain. The subject presented many difficulties.

Were it merely to select a position for an intrenched camp where I would be able with my present force but to sustain myself against a land attack of an enemy, and where, at the same time, I would be secure from the shells of the ships-of-war, the question is solved.

About three and a half miles from the harbor I have discovered a very good position for an intrenched camp, secure from the shells of ships-of-war. But in order to keep the position to which I have just referred, the following alternatives would present themselves: I would either be obliged to give up my present guard at the landing, my position for the 32-pounders which bear upon and my oversight of the harbor, or render the troops whom I might maintain at these positions almost certain to be cut off, in case of a serious land attack, before they could reach the intrenched camp nearly four miles off.

In view of all these circumstances, I have taken up a position near the Hudson's Bay establishment, and shall put my heavy guns in a position to bear upon the harbor, and also on vessels which might take a position on the other side. Shells from the shipping may be able to reach us, and we may not be able to protect the camp from them; but I shall try.

The British authorities appear to be very sensitive with regard to anything like fortifying on the island. Owing to the peculiar circumstances of the case, we have none of the advantages which a case of actual war would confer, as regards keeping any action secret from the enemy.

Our every manœuvre is closely observed, and I have considered it best to act with circumspection lest a conflict should be forced upon us prematurely.

The general may rest satisfied that I shall give the whole matter my best abilities, and I trust everything will come out right.

Very respectfully, your obedient servant,

SILAS CASEY,

Lieutenant Colonel 9th Infantry, Commanding Camp.

Captain ALFRED PLEASANTON, U. S. A.,

Acting Asst. Adjt. Gen., Dept. of Oregon, Fort Vancouver, W. T.

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HEADQUARTERS CAMP PICKETT,
San Juan Island, W. T., August 22, 1859.

CAPTAIN: I have the honor to report that I received by the "North-
erner" the general's instructions of the 17th and 19th instant.

The "Massachusetts" arrived on the night of the 21st, and she is
now unloading the government property from Fort Townsend. I will
cause the freight of the "Northerner" to be placed on her, as directed.

I had ordered Major Haller on shore with his company before re-
ceiving the general's instructions so to do. It was not my intention
to place another company on at present. When I do, I shall be happy
to offer the position to Captain Pickett, as I am as fully impressed as
the general with the gallant behavior displayed by him during the
late difficulties on the island.

I have placed Lieutenant Kellogg, with his company, on duty in
charge of all the artillery. That leaves, including Major Haller's,
eight companies, which I have formed into an infantry battalion, and
shall endeavor to have them efficiently exercised in drill.

Very respectfully, your obedient servant,

SILAS CASEY,

Lieutenant Colonel 9th Infantry, Commanding Camp.

Captain ALFRED PLEASANTON,

Acting Asst. Adjutant General United States Army,

Department of Oregon, Fort Vancouver, W. T.

15. *General Harney to Colonel Casey.*

HEADQUARTERS DEPARTMENT OF OREGON,
Fort Vancouver, W. T., September 2, 1859.

COLONEL: The general commanding instructs me to enclose, for your
information, a copy of a communication he addressed to Governor
Douglas, under date of the 24th of August, in answer to the governor's
letter to himself of the 13th of that month, which you have doubtless
seen, it having appeared in the Victoria papers.

From the tenor of this answer you will perceive it is not the inten-
tion of the general commanding to remove any portion of the present
force on San Juan island from that position until the orders of the
resident are communicated on the subject.

You are therefore instructed to make such preparations for the com-
fort, efficiency, and health of your command as will anticipate a period
of at least six months.

I am, colonel, very respectfully, your obedient servant,

A. PLEASANTON,

Captain 2d Dragoons, A. A. Adjutant General.

COLONEL S. CASEY,

9th Infantry, Commanding Camp Pickett,

San Juan Island, Puget's Sound.

16. *General Harney to General Scott.*

HEADQUARTERS DEPARTMENT OF OREGON,
Fort Vancouver, W. T., September 14, 1859.

SIR: I have the honor to enclose, for the information of the general-in-chief, copies of two affidavits verifying the accusation of attempted outrage upon one of our citizens on San Juan island, which was charged to the British authorities and the Hudson's Bay Company of Vancouver's island in my communication to Governor Douglas of the 6th of August.

The affidavit of Lyman A. Cutler, the person upon whom the outrage was attempted of being taken by force to Victoria for trial by British laws, fully and completely refutes the denial of Governor Douglas, transmitted in his communication of the 13th August, a copy of which has been sent to you.

* * * * *

The want of propriety and good faith on the part of the British officials is so apparent, in the course pursued by them towards ourselves in the matter of San Juan island, as to have forced Governor Douglas into a flimsy evasion of the facts which so strongly condemn them, and it is not surprising that Governor Douglas should attempt to throw discredit upon my action in the occupation of San Juan island being compromised by conduct he dares not acknowledge.

Governor Douglas speaks of the Hudson's Bay Company establishment as one of no significance or responsibility, and that its acts are no more to be considered than those of any other of the inhabitants of Vancouver's island. In the face of such a statement I consider it my duty to inform the general-in-chief that this insignificant company has a positive military organization, with a discipline exceeding in rigor that of our own service. The forts of this company on this coast are armed with guns of much heavier calibre than any we possess, and in its service are steamers that can readily be applied to war purposes. The authorities of this company have boldly claimed the exclusive ownership of San Juan island, warning the United States officer, Captain Pickett, from the island, and threatening him, at the same time with the civil authorities if he did not obey. This was reported in my communication of the 7th of August to the Adjutant General, and accompanying reports of Captain Pickett, copies of which have been furnished your office. This is the establishment whose acts Governor Douglas calls upon us to ignore, but which he carefully supports in its aggressions by both the civil and naval forces under his orders.

I trust the British government will see how useless it will be for them to attempt to maintain a course of conduct that exposes them to the reflection of having used unworthy means to obtain that to which they have no claim, and showing the Hudson's Bay Company to be willing cat for extracting the chestnuts from the fire.

I am, sir, very respectfully, your obedient servant,
 W. S. HARNEY,
Brigadier General, Commanding.

ASSISTANT ADJUTANT GENERAL,
Headquarters of the Army, New York City.

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16 a.

WASHINGTON TERRITORY, *Whatcom County*:

On this 7th day of September, A. D. 1859, appeared before the undersigned, a notary public in and for said county, Paul K. Hubbs, jr., who, being duly sworn, on his oath deposes and says: That he had an interview with General Harney while on his visit to this island, and stated to the general that there had been some trouble between some of the American settlers and some of the officers of the Hudson's Bay Company. Upon being asked by the general the cause of the trouble, he said that a short time since Mr. Cutler, one of our citizens, had shot a hog belonging to the said company, and immediately went to Mr. Griffin, the superintendent, and offered to pay for the hog. Mr. Griffin became enraged, and declared that the Americans were a pack of intruders, and said that he was a fool for ever allowing a United States inspector of customs to come on the island. In the afternoon of the same day the Hudson's Bay Company's steamer Beaver arrived from Victoria, with Mr. Dallas, a director of the Hudson's Bay Company, Dr. Solmie, a chief factor, and some other parties, who, after holding an interview with Mr. Griffin, called on Mr. Cutler, and used some very threatening language, and, among other words, they said that they had a posse on board, and would take him prisoner and carry him to Victoria for trial.

PAUL K. HUBBS, JR.

Subscribed and sworn before me this 7th day of September, 1859.

HENRY R. CROSBIE,

s.]

Notary Public.

16 b.

TERRITORY OF WASHINGTON, *County of Whatcom*:

Lyman A. Cutler, being duly sworn, deposes and says: That he has been a resident of San Juan island since last April, at which time he located one hundred and sixty acres of land, agreeably to the preëmption law, and upon which land he has ever since resided. That on or about the 15th of last June he shot a hog belonging to the Hudson's Bay Company; that immediately after so doing he proceeded to the house of the agent of the Hudson's Bay Company on the island, Mr. Griffin, and informed him of the fact, stating that it was in a moment of irritation, the animal having been at several times a great annoyance, and that morning destroyed a portion of his garden; he desired to replace it by another, or they could select three, and whatever valuation they might place on the animal he would once pay. Mr. Griffin, very much enraged, said the only way it could be settled would be by him (Cutler) paying one hundred dollars. He replied he was astonished both at Mr. Griffin's conduct and his

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Commanding.

proposal, and left him. The same afternoon Mr. Griffin, in company with three other persons, came to his house. He afterwards learned they were Mr. Dallas, one of the directors of the Hudson's Bay Company, Dr. Solmie, a chief factor, and a Mr. Fraser. Mr. Dallas asked him if he was the man that killed the hog; he answered, yes. Mr. Dallas then, in a very supercilious manner, asked him how he dared do it. He replied that was not the proper way of talking to him; that he dared do whatever he thought was justifiable, and he had no cause to blame himself in the matter; as soon as he had killed the animal he went to Mr. Griffin and offered to make him a proper reparation—that he was ready to do it then; had he chosen to have acted otherwise, he could have said nothing about it, and Mr. Griffin would have never known his loss; the animal was so worthless he would never have troubled himself about it. Mr. Dallas, in reply, stated this was British soil, and if he, Cutler, did not make the reparation demanded—one hundred dollars—he would take him to Victoria; their steamer (the Hudson's Bay Company's steamer Beaver) was in port, and they had a posse at their command. He answered, Mr. Dallas must be either crazy or deem him so, to pay one hundred dollars for an animal that was not worth ten; and as for taking him to Victoria for trial, that could not be done; when they brought their posse he would have his friends to resist them; this was American soil and not English; and whilst he was willing to answer before any American tribunal for what he had done, no English posse or authority should take him before an English tribunal. Mr. Fraser commenced speaking about its being British soil, &c.; he (Cutler) declined, however, having any conversation with him on the matter; he had said all he had to say about it. Dr. Solmie said nothing. Mr. Griffin simply asked him if he ever knew him (Griffin) to disturb any of the settlers or insult them? he answered, never before that morning.

As they rode off one of the party remarked, "You will have to answer for this hereafter," or words to that purport.

Their manner and language were both insulting and threatening.

Afterwards, on the 27th of June, the morning Captain Pickett landed, the British steam frigate *Satellite* arrived and landed Mr. DeCourcy, who was installed as British magistrate for the island of San Juan, as Captain Provost publicly stated; at the time he left Victoria nothing was known of the landing of the American troops; it seemed evident that the magistrate came over for the purpose of apprehending him, (Cutler); that he understood process was issued by the said DeCourcy to compel his attendance to answer to his charge; that Captain Gordon, the English constable, with a posse, came to his house during his absence, on or about the 29th or 30th of July; word was sent to him by Mr. Crosbie, the American magistrate, to come in and place himself under the protection of Captain Pickett; that he came, staid one day, and returned the next, Captain Pickett having informed him if they attempted in any way to interfere with him to send him word, and he should be protected at all hazards. He is convinced that if troops had not been on the island he would have been taken by force and carried before an English magistrate; his reason for this belief is based on the fact that the English force on board the steam frigates *Satellite* and

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Tribune had orders to obey any requisition that Mr. DeCourcy should make on them.

LYMAN A. CUTLER.

Subscribed and sworn before me this 7th of September, 1859.
[L. S.]

HENRY R. CROSBIE,
Notary Public.

PORT TOWNSEND,

Washington Territory, September 3, 1859.

ESTEEMED SIR: I find that we have some disappointed or annoyed gentlemen (by the recent movement of General Harney) that are puffing the letter of Governor Douglas in reply to that of General Harney.

The general, it seems, did not say in his letter anything relative to the inroads and murders committed by the northern Indians, but confined himself to the immediate subject of grief, that of threatened taking of an American citizen to Victoria for trial.

How beautifully the governor in his reply "finesses" out of. In substance, he says that "*the government did not threaten,*" &c., all of which is true theoretically; but practically, the Hudson's Bay Company, with half a dozen armed steamers, the government governor being the head of the company, and his son-in-law, Mr. Dallas, the chief director and *the power* that practically moves the Hudson's Bay Company and the governor, did land and go to "the man that shot the bear," and threaten to take him on board their steamer (not the government steamer, but that of the Hudson's Bay Company) to Victoria; and finding they (five of them) could not do it, left with a threat to send the "Plumper," a British government frigate, for him, and, as I am reliably informed, did afterwards put the magistrate on the island, who sent three times after him, every time being watched by our peace officers and posse with reliance on our government officers and men.

Very truly yours, &c.,

PAUL K. HUBBS.

I am not personally acquainted with General Harney, but his timely aid and position taken meets the unbounded admiration of the citizens of this Territory.

P. K. H.

His excellency the President, JAMES BUCHANAN.

17. *Governor Gholson to General Harney.*

EXECUTIVE OFFICE,

Olympia, W. T., August 21, 1859.

SIR: In view of the excited state of a portion of the people (Gov. included) on Vancouver's island, &c., I have thought that a

judicious regard for the welfare of this Territory and the success of our arms, (should a collision occur,) perhaps, made it my duty to inform you that we have about (1,000) one thousand of small arms, (850) eight hundred and fifty muskets, (ordinary,) and (150) one hundred and fifty muskets, (rifled,) and (4) four twelve-pound mountain howitzers, and that for none of these have we a shot, shell, or cartridge.

Permit me to say, general, that as we shall be wholly dependent upon your orders for a supply, (if I correctly unders and the regulations of the War Department,) I shall be pleased (e her now or at such time as your *discretion* may direct) to receive whatever supplies you may think proper to order to this place.

I have the honor to be, general, your most obedient servant,

R. D. GHOLSON,

Governor of Washington Territory.

Brig. Gen. W. S. HARNEY,

Headquarters Department of Oregon.

[Endorsement.]

HEADQUARTERS DEPARTMENT OF OREGON,
Fort Vancouver, W. T., September 19, 1859.

Respectfully forwarded for the information of the general-in-chief, who is notified that eighty-five thousand rounds of ordinary musket ammunition, fifteen thousand of rifled musket, and two thousand rounds of mountain howitzer ammunition has been placed at Fort Steilacoom, subject to the requisition of Governor Gholson, in case of an emergency.

W. S. HARNEY,

Brigadier General, Commanding.

18. *General Harney to Mr. Floyd.*

HEADQUARTERS DEPARTMENT OF OREGON,
Fort Vancouver, W. T., October 10, 1859.

SIR: I have the honor to acknowledge the receipt of your communication of the 3d of September last, transmitting the views of the President of the United States in reference to the military occupation of San Juan or Bellevue island, as reported in my despatch of the 19th of July last, addressed to the general-in-chief.

Since the date of that despatch other events have transpired, which are conclusive in showing the intentions of the colonial authorities of Great Britain were directed towards assuming a positive jurisdiction over the island of San Juan. These occurrences have all been reported in a regular course of correspondence to the general-in-chief, duplicates having been transmitted to the Adjutant General.

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The President expresses an anxiety to ascertain whether, before proceeding to act, I communicated with Commissioner Campbell, who was intrusted by the government of the United States, in conjunction with the British commissioner, to decide the boundary question. In reply, I desire to inform his excellency the President that no official communication had passed between Commissioner Campbell and myself, in reference to the boundary, previous to the occupation of San Juan island by Captain Pickett's company, for the reason that no exigency had arisen requiring it. In the personal interviews I have had with Commissioner Campbell since my arrival on this coast, he has always assured me that there could be but one solution of the boundary question under the treaty of June 15, 1846, and that was to be obtained by taking the mid-channel of the "Canal de Haro," or Straits of Haro, as the boundary line between the United States and Great Britain. He has several times stated that a strict construction of the treaty will not only give us the Haro group of islands, of which San Juan is the most important, but also the Saturne island, which is yet nearer to Vancouver. This island, he said, he was willing to give to Great Britain, under a liberal and generous construction of the treaty.

In each of these interviews Commissioner Campbell has deplored the course pursued by the British government in the opposition they made to the settlements of this question, and the delays continually seized upon by the British commissioner to prevent coming to an early decision. Commissioner Campbell appeared to be earnestly impressed with the conviction that the British government intended to keep this an open question until some future time, when they could advance their claims to better advantage, as they had no foundation in justice or right. I saw Commissioner Campbell for the last time at Semiahmoo, on the 7th day of July last; at that date neither he nor myself had any knowledge to induce us to believe the colonial authorities of Great Britain had attempted to assume jurisdiction over San Juan. When Captain Pickett's company arrived at San Juan, it appears Commissioner Campbell was making an exploration of the islands in the Haro group, and visited San Juan the day Captain Pickett landed; he rendered the captain every assistance, and approved the course that had been pursued. Captain Pickett landed on the 27th of July, and Commissioner Campbell remained in that vicinity until the 16th of August, when I received a private communication from him, a copy of which is enclosed. I immediately answered it officially, giving him my reasons in full for occupying San Juan; this would have been done at the time Captain Pickett's order was issued, but I did not know his whereabouts until I received his communication. A copy of his answer to the commissioner is also enclosed, and a copy of his reply dated the 30th of August.

I would respectfully call the attention of the President to the unqualified denial of Governor Douglas, in his despatch of the 13th of August, that any attempt had ever been made to arrest an American citizen and convey him to Victoria to be tried by British laws. At the very moment this denial was being penned, three British ships-of-war were in that harbor, by the orders of Governor Douglas, to support

a British stipendiary magistrate sent by Douglas to arrest the same American citizen, (Cutler,) of San Juan, who would have been arrested but for the positive interference of Captain Pickett; indeed, so pressing and urgent were the British to possess themselves of Cutler that Captain Pickett did not hesitate to report his capture could only be averted by occupying the island in force.

Such are the facts of the case, in which the British government furnished five ships-of-war, carrying one hundred and sixty-seven guns, and from two to three thousand men, to an unscrupulous colonial governor for the purpose of wresting from us an island that they coveted. Such punic faith should never be tolerated, however plausible the pretext upon which it may be founded.

I am, sir, very respectfully, your obedient servant,

WM. S. HARNEY,

Brigadier General, Commanding.

HON. SECRETARY OF WAR,

Washington City, D. C.

18 a.

STEAMER SHUBRICK,

San Juan Harbor, August 14, 1859.

MY DEAR GENERAL: Captain Alden is about to leave the harbor for Fort Vancouver, with despatches from Colonel Casey, and I take the opportunity of dropping you a line in relation to the state of affairs resulting from the landing of troops on the island of San Juan.

When I learned from Captain Pleasonton that Captain Pickett's company was ordered to San Juan, I thought it was a very proper movement for the protection of American settlers from northern Indians, and from the interference of the Hudson's Bay Company's agents, who had recently been threatening to take one of the settlers to Victoria for trial; and I did not anticipate from it any serious objection on the part of the British authorities of Vancouver's island—certainly no forcible opposition—troops at various times heretofore having been sent there at intervals, in small detachments, for the protection of the settlers against the Indians.

But I happened to be making an exploration of the archipelago at the time Captain Pickett arrived, and for several days after I was anchored in this harbor; and I soon saw that it was going to produce a great excitement unless managed with great discretion. Before I saw Captain Pickett's instructions I did not suppose it possible that any collision could arise between the United States and English troops, and I took it for granted that his duties would be confined to the objects specified hereinbefore. While the boundary line still remains unsettled, and the commission appointed to determine the boundary line still existed, I did not suppose any resistance would be made by Captain Pickett to the landing of the British troops, if they thought proper, as a matter of protection to English subjects on the island, to station a force on the island. It did not seem to me, under

Brigadier G

present circumstances, that we should be justified in going to the extent of refusing to allow them to land troops for peaceable purposes. I found that Captain Pickett had different views, derived from your instructions, and he confidentially showed them to me. I perceived that they were susceptible of the interpretation he gave them, though they were not directly mandatory on the subject; and supposing it possible, if not probable, that you might have received instructions from the War Department for the occupation of the island, I felt a delicacy in interfering further in the matter lest I might be disturbing plans well considered by you and determined on by the government. At the same time, as I had no intimation on the subject from the State Department, I felt considerably troubled lest there might be some misunderstanding.

I was called upon officially by my colleague, Captain Prevost, the British commissioner for the settlement of the water boundary, to take steps individually, or in concert with him, to protest against the armed occupation of the island, it being intimated that British troops would be lauded. As I did not consider it my duty, as a commissioner, to interfere with the operations of the military forces of either government, I declined to take the steps indicated. Thus far no serious results have followed from the presence of troops on the island; but there is a good deal of excitement among the authorities of Vancouver's island, and, doubtless, a great deal of mortification, and, if I may be permitted to advise, I would recommend caution, so as to prevent if possible any collision, which, I think, under no circumstances ought to be allowed to occur.

However certain may be your conviction that the boundary line, according to the treaty, should run down the Canal de Haro—and I have never hesitated, when asked, to say that such is the ground I have taken as commissioner, and that in this I believe I will be supported by the government—still the question has not been authoritatively decided; and unless you have some intimation from the War Department which has governed your actions, I fear that the decided action you have taken in declaring the island American territory may somewhat embarrass the question. I shall be greatly relieved to learn that you have some authority from the government for the decisive step you have taken, though I do not pretend to ask or desire the information in my official capacity. I thought it possible, if you had no directions from home, that you might be in error on some point regarding the joint commission, and therefore have taken the liberty of letting you know that it still exists, notwithstanding the slow progress made in settling the boundary question.

I presume Colonel Casey has fully informed you of everything that has taken place since his arrival, and therefore I need say nothing farther.

Hoping you will excuse the liberty I have taken in writing you thus freely, I am, my dear general, very respectfully and truly, your obedient servant,

ARCHIBALD CAMPBELL.

Brigadier General W. S. HARNEY,
United States Army.

NOTE BY THE DEPARTMENT OF WAR.—See General Harney's letter to Mr. Campbell, August 16, with No. 11 of these papers.

18 b.

CAMP SEMIAHMOO, *August 30, 1859.*

MY DEAR GENERAL: I had the pleasure of receiving, on the 22d instant, your letter of the 16th, placing me in possession of the facts connected with the occupation of San Juan by some of the troops under your command. For the trouble you have taken to furnish me this information, in the midst of more pressing and important occupations, I beg to return you my sincere thanks. Had I known your views earlier, I should have been free from the embarrassment expressed in my letter to you of the 14th instant. The rumor in regard to my departure for Washington city had no foundation whatever.

In a few days I contemplate a trip along or near the 49th parallel as far as Fort Colville. I shall return to this place, *via* the Columbia river, towards the middle of October, by which time you will probably have received answers to your despatches to Washington, which I trust may be satisfactory to you. Looking forward with pleasure to meeting you at that time at Fort Vancouver, I am, my dear general, very respectfully and truly, your obedient servant,

ARCHIBALD CAMPBELL.

Brigadier General W. S. HARNEY,
United States Army.

19. *General Scott to the Adjutant General.*

HEADQUARTERS OF THE ARMY,
Portland, Oregon, October 22, 1859.

SIR: The general-in-chief desires me to report, for the information of the Secretary of War, that he arrived in good health at Fort Vancouver on the night of the 20th instant, and had an interview with Brigadier General Harney the following morning.

The answer of that officer, of October 10, to the Secretary of War, in answer to his communication of September 3, gave an account of the affairs existing at the island of San Juan to that period, since when nothing of interest has occurred.

Captain Pickett, 9th infantry, the judge advocate of a general court-martial, ordered by General Harney to convene at Fort Vancouver, who arrived here yesterday, just from the island, reports everything quiet, and that the British vessels of war had all returned to their usual anchorage near Victoria except one—the *Satellite*.

The steamer *Northerner*, on which the general is a passenger, leaves this place this afternoon for Puget's Sound, and, on her arrival in those waters, it is his intention to go on board the government steamer

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Massachusetts, at Port Townsend, and from thence open a correspondence with the British authorities. The general does not intend to pass beyond the limits of the United States.

Commissioner Campbell is on his way from Colville to Fort Vancouver, and may arrive at the latter place in a day or two.

I have the honor to be, very respectfully, your obedient servant,

L. THOMAS,

Assistant Adjutant General.

Colonel SAMUEL COOPER,

Adjutant General U. S. Army, Washington, D. C.

20. General Scott to the Adjutant General.

HEADQUARTERS OF THE ARMY,
Fort Townsend, W. T., October 26, 1859.

SIR: By direction of the general-in-chief I enclose, for the information of the Secretary of War, a copy of his communication of yesterday's date to his excellency James Douglas, governor of Vancouver's island, and its dependencies, containing a proposition to serve as a basis for the temporary adjustment of the difficulties existing at the island of San Juan between our government and that of Great Britain. Lieutenant Colonel Lay, who was charged with the delivery of the communication, is momentarily expected, in the revenue cutter on this station, with the governor's reply, and if received in time for the mail a copy thereof will also be enclosed.

The general-in-chief further intends to send the substance of the communication by the overland mail from San Francisco to the commanding officer of Fort Leavenworth, with instructions to telegraph the same to the Secretary of War.

The steamer *Northerner* takes her departure from Fort Townsend this morning, *via* Victoria, for San Francisco, where she is expected to arrive in ample time, with the mails, for the steamer to leave that port on the 5th proximo. This communication will be sent by the *Northerner*.

I have the honor to be, very respectfully, your obedient servant,

L. THOMAS,

Assistant Adjutant General.

Colonel S. COOPER,

Adjutant General U. S. Army, Washington, D. C.

21. *General Scott to Mr. Floyd.*

[Telegram.]

FUCA STRAIT, October 27, via Leavenworth, November 24.

Hon. J. B. FLOYD,
Secretary [of War,] Washington.

Two days ago I despatched from Fort Townsend a communication to Governor Douglas, proposing a temporary adjustment on the basis suggested by the President in his instructions to me. There has been no answer yet. No doubt the proposition will be accepted. Everything tranquil in these islands.

WINFIELD SCOTT.

22. *General Harney to General Scott.*HEADQUARTERS DEPARTMENT OF OREGON,
Fort Vancouver, W. T., October 29, 1859.

SIR: I have the honor to enclose, for the information of the general-in-chief, a copy of a communication from Lieutenant Colonel Casey, commanding on San Juan island, in which he reports that Rear-Admiral Baynes, commanding her Britannic Majesty's fleet on the Pacific coast, was actually on board the British steamship-of-war "Tribune," in the harbor of San Juan island, at the time Colonel Casey landed his troops, and when Captain Hornby, of the British navy, the commander of the "Tribune," informed the colonel, in presence of the British and American commissioners, that Admiral Baynes was then at Esquimaux harbor, near Victoria, Vancouver's island.

I mentioned this fact to the general-in-chief, in conversation at the time of his arrival at this post, but I deem it of such importance in showing the duplicity and bad faith exercised towards us by both the colonial and naval authorities of Great Britain in reference to San Juan island, that I desire to place it on record.

This statement exposes three high officials of her Britannic Majesty's service, viz: the British commissioner, the admiral, and the senior captain of the navy in these waters, to the imputation of having deliberately imposed a wilful falsehood upon the authorities of a friendly nation to advance the sinister designs of the British government in obtaining territory that rightfully belongs to the United States.

Is it too much to suppose they would be guilty of like conduct should they be permitted to assume a position in which it would aid their purposes?

I am, sir, very respectfully, your obedient servant,

W. S. HARNEY,

Brigadier General, Commanding,

The ASSISTANT ADJUTANT GENERAL,
*Headquarters of the Army, Port Townsend,
Puget's Sound, W. T.*

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22 a.

FORT VANCOUVER, W. T., October 28, 1859.

CAPTAIN: In my communication of the 12th August, from San Juan island, narrating the events which had transpired on that island, from the time of my arrival with a reinforcement of three companies of infantry from Fort Steilacoom, it will be seen that I had requested an interview with Rear-Admiral Baynes, commanding her Britannic Majesty's fleet on the Pacific coast. As I did not in that communication state the principal reason which governed me in not proceeding to the flag-ship *Ganges*, for the purpose of having an interview with the admiral on board that ship, in the harbor of Esquimault, I have thought it due to myself that that reason should be made known to the general commanding the department, and I would respectfully request that the following be considered a part of my communication of the 12th August, 1859, viz:

Soon after my conference with Captain Hornby, I was informed by Mr. Campbell, the United States commissioner, that Rear-Admiral Baynes was actually on board the British steamship *Tribune*, in the harbor of San Juan island, at the very time I was informed by Captain Hornby, in the presence of the British and American commissioners, that the admiral was at Esquimault harbor, twenty-five miles distant.

I was somewhat astonished at this, and considered that I had not been dealt by with that openness and candor which the object to be brought about seemed to demand.

I resolved, notwithstanding this, to comply with my promise to meet the admiral at Esquimault harbor; but knowing what I did, I thought it not incumbent on me to repair on board the *Ganges*, for the purpose of the contemplated interview.

Very respectfully, your obedient servant,

SILAS CASEY,

Lieutenant Colonel 9th Infantry, Commanding on San Juan.

Captain A. PLEASANTON,

Acting Assistant Adjutant General,

Department of Oregon, Fort Vancouver, W. T.

23. General Scott to Mr. Floyd.

HEADQUARTERS OF THE ARMY,

At Sea, December 8, 1859.

SIR: After the despatch of October 26, by Lieutenant Colonel Thomas to the Adjutant General, I had no opportunity of communicating with the department before the steamer from San Francisco of the 21st ultimo, and in her I embarked for home.

This letter will be accompanied by copies of my correspondence and

orders on the subject of the island of San Juan, while I was on the Pacific coast, viz :

1. My communication to Governor Douglas, October 25.
2. Hasty memorandum by Lieutenant Colonel Lay, October 26.
- [Copies were communicated by Lieutenant Colonel Thomas's despatch.
3. Governor Douglas to me, October 29.
4. My letter to Governor Douglas, November 2; and
5. Project of a temporary settlement, November 2.
6. Governor Douglas to me, November 3.
7. My letter to Governor Douglas, November 5.
8. My special orders—sending troops from San Juan, November 5.
9. Governor Douglas to me, November 7.
10. The same, enclosing deposition, &c., November 7.
11. My letter to Governor Douglas, November 9.
12. Extract of instructions to General Harney, November 9; and
13. Extract of instructions to Captain Hunt furnished Governor Douglas, November 9.
14. Lieutenant Colonel Thomas to Captain Hunt, November 9.
15. Lieutenant Colonel Thomas to Lieutenant Colonel Casey, November 9.
16. Lieutenant Colonel Thomas to General Harney, November 9.
17. My letter to General Harney, November 15.
18. Special order, November 15.

It will be seen that the British governor having assured me that he entertained no design of attempting the dislodgement by force of our troops from the disputed island, I immediately, in order to take from our position every semblance of hostility or menace, took measures to reduce that force to a single company of infantry, with its proper arms only, (for the protection of American settlers,) with the understanding that, in the same spirit, one of the vessels of war (the larger) in the harbor of San Juan would also be sent off at an early day.

And here it is proper to remark that, from the beginning of the recent difficulties, there has virtually been a joint occupation of the island by our troops in the land, and by one or more British vessels of war in the harbor.

I have the honor to be, sir, with high respect, your obedient servant.

WINFIELD SCOTT.

HON. JOHN B. FLOYD,
Secretary of War.

23 a.

HEADQUARTERS OF THE ARMY,
Fort Townsend, October 25, 1859.

The undersigned, lieutenant general and commanding in chief the army of the United States, having been drawn to this frontier by the apprehension of some untoward collision of arms between the forces of the United States and those of Great Britain in and about the island of San Juan, the sovereignty of which is claimed by both nations, does

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SIR: I have h Colonel Lay you H. Ex. L

not hesitate, in the great interests of peace assumed to be as important to one party as to the other, at once to submit for the consideration of his excellency the following proposition, to serve as a basis for the temporary adjustment of any present difficulty, until the two governments shall have time to settle the question of title diplomatically.

Without prejudice to the claim of either nation to the sovereignty of the entire island of San Juan, now in dispute, it is proposed that each shall occupy a separate portion of the same by a detachment of infantry, riflemen, or marines, not exceeding one hundred men, with their appropriate army only, for the equal protection of their respective countrymen in their persons and property, and to repel any descent on the part of hostile Indians.

In modification of this basis any suggestion his excellency may think necessary, or any addition he may propose, will be respectfully considered by the undersigned.

This communication will be handed to his excellency by Lieutenant Colonel Lay, an aide-de-camp of the undersigned, who has the honor to subscribe himself,

With high respect, his excellency's obedient servant,
WINFIELD SCOTT.

His excellency JAMES DOUGLAS, Esq., *O. B.*,
Governor of the Colony of Vancouver's Island
and its dependencies, and Vice-Admiral of the same.

23 b.

Hasty Memorandum.

VICTORIA, VANCOUVER'S ISLAND,
Night of October 26, 1859.

His excellency Governor Douglas authorizes me to say that, having yet had no time to consider in detail the proposition offered by Lieutenant General Scott, nor to consult with his official advisers here, he is at a glance satisfied that no obstacle exists to a completely amicable and satisfactory adjustment (continuing throughout the period of diplomatic discussion respecting the title to the island of San Juan,) either upon the plan suggested by General Scott, or some other that may be mutually agreed to after advisement.

His excellency has read this memorandum and retains a copy.

G. W. LAY,
Lieutenant Colonel U. S. Army.

23 c.

VICTORIA, VANCOUVER'S ISLAND,
October 29, 1859.

SIR: I have had the honor of receiving by the hands of Lieutenant Colonel Lay your note of the 25th instant, communicating to me the

H. Ex. Doc. 65—5

reasons which have drawn you to the frontier of Washington Territory, and for the great interests of peace, making a proposition to serve as a basis for the temporary adjustment of the present difficulty, arising out of the occupation of the island of San Juan by troops of the United States.

2. In the first place, I beg you will permit me to offer you my warm congratulations upon your arrival in this neighborhood, and the assurance of my earnest desire to co-operate with you in the most cordial spirit. I thank you for the frank and friendly tone which characterizes your note, and I trust you will believe me when I say that if I am not able entirely to accede to your views, it proceeds solely from the necessity which exists under present circumstances that I should take no step which might in the least embarrass the government of her Britannic Majesty in any line of action which they might think fit to adopt. You have been specially accredited by the government of the United States, and I fully appreciate the fact; but I, on the contrary, am not in possession of the views of her Majesty's government on this matter, and, therefore, am not at liberty to anticipate the course they may think fit to pursue.

3. You propose, without prejudice to the claim of either nation to the sovereignty of the entire island of San Juan, that each shall occupy a separate portion of the same by a detachment of infantry, riflemen, or marines, not exceeding one hundred men, with their appropriate arms only, for the equal protection of their respective countrymen in their persons and property, and to repel any descent on the part of hostile Indians. For the reasons above given you can readily understand, sir, that were I to accede to this proposition I should at once be committing her Majesty's government, and I believe I should at the same time, on their behalf, be assuming an attitude which I do not think they would now be desirous of maintaining. I admit that the protection of the citizens of both nations who are now resident on the island is a matter which cannot be overlooked or lightly treated, but the principal protection that may be required is from dissensions amongst themselves, and not against hostile Indians, from whom I do not apprehend there is the slightest danger of molestation.

4. I again assure you that I am most cordially disposed to co-operate with you in the frankest manner to assist in removing any and every cause which might unhappily disturb the particularly satisfactory relations at the present moment existing between her Majesty's government and that of the United States; and I conceive that the end can be best attained by replacing matters at San Juan as they were before the landing of the United States troops—the "status" established on the moderate and conciliatory views laid down in Secretary Marcy's despatch to Governor Stevens, of the 14th July, 1855.

5. An arrangement on that footing would bring the whole affair to a conclusion satisfactory to both parties, and so highly honorable to the government of the United States that I feel sure it would at once remove any cause of complaint which her Majesty's government might be reasonably expected to entertain.

6. I would, therefore, submit for your consideration that for the protection of the small British and American population settled on the

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island there should be a joint civil occupation, composed of the present resident stipendiary magistrates, with such assistants as may be necessary, and that the military and naval forces, on both sides, be wholly withdrawn.

7. Should it, however, hereafter appear that a military force is indispensable for protection, I can see no objection to such a force being landed upon San Juan, with such understanding as the British and American authorities may mutually determine upon.

8. It is no doubt, sir, fresh in your recollection that the sole reason assigned to me by General Harney for the occupation of San Juan was to protect the citizens of the United States from "insults and indignities" offered them by the British authorities at Vancouver's island. In my reply I, in the most earnest and emphatic manner, repudiated the aspersion and endeavored to prove to General Harney that for the cause alleged there was no necessity for the presence of United States troops on the island of San Juan; and I therefore begged, for the sake of peace, that he would withdraw the troops. He, however, declined to do so, upon the plea that he had no assurance that American citizens would continue to be free from molestation from the British authorities. I feel confident, sir, that I need not renew to you my assurance that the British authorities in Vancouver's island have no intention, under existing circumstances, to interfere with any of the citizens of the United States who may be resident upon San Juan; and I therefore anticipate that a consideration of these facts, together with those before mentioned, will remove any difficulty you may have apprehended touching the withdrawal of the United States troops from San Juan, and I earnestly trust will induce you to entertain with favor the proposition I have made.

9. I hope, sir, I may have the pleasure of meeting you personally, when minute details could be so much better discussed than by letter; and it would indeed be a source of gratification to me to have the honor of welcoming to the shores of Vancouver's island an officer so highly distinguished as he whom I now have the honor of addressing, and who, I beg, will allow me to subscribe myself as his most obedient, humble servant,

JAMES DOUGLAS.

Lieutenant General WINFIELD SCOTT,

Commanding in Chief the Army of the United States.

· 23 d.

HEADQUARTERS OF THE UNITED STATES ARMY,
False Dungeness Harbor, W. T., November 2, 1859.

I have the honor to acknowledge your communication of the 29th ultimo, (the receipt of which has been much delayed by winds and logs.) in reply to mine dated four days earlier.

It is with regret I learn that the basis for the settlement of the immediate San Juan difficulty I had the honor to submit has not received your acceptance, and that sentiment is deepened at finding myself

unable to accept your proposed substitute. We ought not, however, to despair of finding the means of maintaining the peace of the frontier till the good sense and good feelings of our governments shall have time to supervene and directly to dispose of the whole subject of the disputed island forever.

Your excellency seems to regard the preliminary evacuation of that island by the American troops as a *sine qua non* to any adjustment of the immediate question before us. I am sure that at the date of the instructions which brought me hither, and in the anxious interviews between Mr. Secretary Cass and her Britannic Majesty's minister, Lord Lyons, residing near the government of the United States, no such suggestion was made by his lordship, or it would not only have been communicated to me, but have, in all probability, stopped this mission of peace.

You "submit for [my] consideration that for the protection of the small British and American population settled on the island there should be a joint civil occupation, composed of the present resident stipendiary's magistrates, with such assistants as may be necessary, and that the military and naval forces on both sides be wholly withdrawn."

It strikes me, as a decisive objection to this basis, that if a magistrate (judge or justice of the peace) could be legally (except by treaty, between sovereign powers) established on neutral territory, such functionary could not be subjected to the orders of any officer of the United States army, nor even to the direct control of the President of the United States, though appointed by an American territorial governor claiming jurisdiction over the disputed territory, and therefore not to be considered a fit person to be intrusted with matters affecting the peace of two great nations. Besides, I have adopted the impression of my countrymen generally on this frontier that the few citizens settled on the San Juan island, though, like all other American pioneers, brave and possessed of effective weapons for defence and attack, do in reality stand in need of troops for protection not only against predatory bands of Indians coming from foreign parts, but also from such bands residing within our own limits. A marauding descent of this kind was made but a few weeks since upon the village of Whatcom, in Bellingham bay, when a small detachment of soldiers was actually sent from the disputed island to protect the villagers against a threatened renewal of the outrage! (I am but just returned from that village.)

Moved by the foregoing considerations and the spirit of peace which is known to animate our governments, I will respectfully ask your excellency to review your decision on my original proposition, which, the better to show its probable workings if adopted, I have somewhat elaborated in the accompanying "*Projet of a temporary settlement, &c.*" I am persuaded that, on mature reflection, you will find nothing in it to hurt English pride or to prejudice English interests, but much to soothe past irritations on both sides and to prevent any local conflict. The details of the plan are no doubt susceptible of improved modifications, but I must candidly say that I do not see how I can positively consent to a change in the principle.

Highly appreciating the personal compliments of your excellency.

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and reciprocating the kind feelings which prompted them, I have the honor to remain, with high consideration, your excellency's most obedient servant,

WINFIELD SCOTT.

His excellency JAMES DOUGLAS, Esq., C. B.,
Governor of the Colony of Vancouver's Island and
its dependencies, and Vice-Admiral of the same.

23 e.

Project of a temporary settlement, &c.

Whereas the island of San Juan, in dispute between the governments of the United States and Great Britain, is now occupied by a detachment of United States troops; protection against Indian incursions having been petitioned for by American citizens, resident thereon, and against such occupation a formal protest has been entered on behalf of her Britannic Majesty's government by his excellency James Douglas, esquire, C. B., governor of the colony of Vancouver's island and its dependencies, and vice-admiral of the same—

It is now proposed by Lieutenant General Scott, commanding in chief the army of the United States in behalf of his government, and in deference to the great interests of the two nations, that a joint occupation be substituted for the present one, which proposition being accepted by his excellency, it is hereby stipulated and agreed between the said Scott and the said Douglas that the substitution without prejudice to the claim of either government to the sovereignty of the entire island, and until that question shall be amicably settled, shall consist of two detachments of infantry, riflemen, or marines of the two nations, neither detachment of more than one hundred men, with their appropriate arms only, and to be posted in separate camps or quarters for the equal protection of their respective countrymen on the island in persons and property, as also to repel descents of marauding Indians.

And whereas pending such joint occupation a strict police over the island will be necessary to the maintenance of friendly relations between the troops of the two nations, as well as good order among the settlers, it is further stipulated and agreed between the parties, signers of these presents, that the commanding officer of each detachment composing the joint occupation shall be furnished with an authenticated copy thereof by the respective signers, to be regarded as a warrant and command to the American commander from the said Scott, and to the British commander, from the said Douglas, to seize and confine, or to banish from the island, any person or persons whatsoever found or known to be engaged in fomenting any quarrel or misunderstanding between the officers or men of one of the detachments and the officers or men of the other, and, further, to treat in like manner all other offenders against the peace and good order of the island; it being, however, expressly understood and enjoined that such measures of correction shall only be applied to American citizens, or persons

claiming to be such, by the American commander, or to British subjects, or persons claiming to be such, by the British commander.

23 f.

VICTORIA, VANCOUVER'S ISLAND,
November 3, 1859.

SIR: Lieutenant Colonel Lay yesterday placed in my hands your despatch of the 2d instant, conveying to me your sentiments upon the subject of my proposal for the temporary adjustment of affairs in connexion with San Juan, and informing me that you are unable to accept that proposal.

2. I regret, sir, for many reasons, that you did not accede to my suggestion of a joint civil occupation as a temporary expedient for preserving tranquillity, and especially so because the course you propose to me of a joint military occupation is one which I cannot assent to, or carry into effect, without the sanction and express instruction of my government.

3. I am authorized to maintain all treaties as they exist, but not to alter the provisions or to disregard the stipulations of any; and, in short, I am sensible that it would not be advisable for me to anticipate by any action on my part, the instructions I may soon receive from her Majesty's government, unless there was an evident and imperative necessity for the adoption of such a course, which necessity, in my opinion, does not exist in the present instance.

4. I conceive that protection against all ordinary danger to which either British subjects or American citizens residing on the island of San Juan are exposed may be fully attained without resorting to the extreme measure of a joint military occupation; and, moreover, the expediency of affording protection to individuals who may settle on territory the sovereignty of which has not been determined may justly be questioned. Protection under such circumstances can, indeed, hardly be considered as a duty incumbent on governments; and, on my part, I am not left in doubt on the subject, as my instructions direct me to announce with reference to this colony that protection cannot be afforded to persons who, by wandering beyond the precincts of the settlements and the jurisdiction of the tribunals, voluntarily expose themselves to the violence or treachery of the native tribes.

5. You must permit me, sir, further to add, that her Majesty's authorities in this colony have, with respect to the United States, committed no violation of existing treaty stipulations, nor been guilty of any act of discourtesy whatsoever towards the government of that nation, but have on all occasions during the late exciting events exhibited a degree of forbearance which will, I trust, be accepted as a guarantee that by no future act will we seek to impair the pacific relations existing between Great Britain and the United States.

6. Should you, sir, after the explanations I have herein given in reference to my official powers and position, proceed to carry out your pacific mission, and divest the large military force now on San Juan

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of its menacing attitude by removing it from the island, we will instantly withdraw the British naval force now maintained there; and as soon as I receive the instructions of my government, I shall be glad to co-operate with you in arranging a plan for the temporary maintenance of order and protection of life and property upon the island.

7. In the meantime you may rest assured that we will not disturb the "status" of San Juan by taking possession of the island, or by assuming any jurisdiction there to the prejudice of the position in which the question of title was placed by Mr. Secretary Marcy and her Majesty's representative in the year 1855.

8. Again assuring you of my desire to act with you to the utmost of power in the most cordial manner and with the utmost frankness and sincerity, and renewing to you my expressions of high consideration and respect, I have the honor to remain, sir, your most obedient and humble servant,

JAMES DOUGLAS.

Lieutenant General WINFIELD SCOTT,

Commanding in Chief the Army of the United States.

23 g.

HEADQUARTERS OF THE UNITED STATES ARMY,
False Dungeness Harbor, W. T., November 5, 1859.

SIR: I have the honor to acknowledge a second communication from your excellency dated the 3d instant. Being assured therein that there is no intention on your part to attempt to dislodge, by force, the United States troops now in the temporary occupation of the island of San Juan, without instructions to that effect from your government, and being perfectly persuaded that the very cordial relations which now happily subsist between the United States and Great Britain render the receipt of such instructions extremely improbable, I do not hesitate at once to order the number of the United States troops on that island to be reduced to the small detachment (Captain Pickett's company of infantry) originally sent hither in July last for the protection of the American settlers (such protection being petitioned for by them) against neighboring and northern Indians.

A copy of my orders in the case I enclose herewith for the information of your excellency. They will be fully executed as soon as practicable by the employment of the United States propeller Massachusetts, the only craft suited to the purpose in these waters.

I have the honor to remain, with high consideration, your excellency's most obedient servant,

WINFIELD SCOTT.

His excellency, JAMES DOUGLAS, Esq., C. B.,

Governor of the Colony of Vancouver's Island

and its dependencies, and Vice-Admiral of the same.

After the foregoing communication was despatched, the general-in-chief determined to leave Captain Hunt's company on the island,

instead of Captain Pickett's, and a copy of his order, after modification, was subsequently sent to Governor Douglas to replace the one previously transmitted. The following is a copy of the order as finally issued.

L. THOMAS,
Assistant Adjutant General.

23 h.

[Special Orders No. —.]

HEADQUARTERS OF THE ARMY,
U. S. Propeller Massachusetts, W. T., November 5, 1859.

As soon as practicable Lieutenant Colonel Casey or other commanding officer on the island of San Juan will proceed to send therefrom all the companies under his orders, except Captain Hunt's, to the posts to which they had previously belonged, viz: company I of the 4th infantry to Fort Townsend; company A of the 4th and H of the 9th infantry to Fort Steilacoom; company D of the 9th infantry to Fort Bellingham; and last, the companies of the 3d artillery to Fort Vancouver.

Captain Hunt and his company and assistant surgeon Craig will remain on the island till further orders for the protection of the American settlers.

Lieutenant Colonel Casey will cause the heavy guns on the island to be replaced aboard of this propeller, and will send the light battery to Forts Townsend, Bellingham, and Steilacoom.

By command of Lieutenant General Scott.

L. THOMAS,
Assistant Adjutant General.

23 i.

VICTORIA, *Vancouver's Island*, November 7, 1859.

SIR: I have the honor to acknowledge your communication of the 5th November, announcing your intention to order the withdrawal of certain companies of United States troops now in temporary occupation of the island of San Juan, and your intention to leave Captain Pickett's company of infantry for the protection of the American settlers against neighboring and northern Indians, and transmitting a copy of your orders in that case to the commanding officer in the island of San Juan.

2. I shall have much pleasure in communicating your intention to her Majesty's government, who will no doubt accept it as a proof of the desire of the United States to restore the former status of the disputed territory.

3. I trust, sir, that instructions will be issued to the officers of the United States, directing them to abstain from all acts in the disputed territory which are calculated to provoke conflicts, and in no case to attempt to exclude British subjects by force or to interfere with them in any manner, or to exercise sovereign or exclusive rights within the disputed limits; and on our part her Majesty's authorities will be

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enjoined to abstain from any acts of interference or of exclusive jurisdiction until the question of title is settled.

4. In that way I sincerely hope that all collision may be avoided.

With every assurance of esteem, I have the honor to be, sir, your most obedient servant,

JAMES DOUGLAS.

Lieutenant General W. SCOTT,
Commanding in Chief the United States Army.

23 j.

VICTORIA, *Vancouver's Island*, November 7, 1859.

Sir: I have the honor to enclose to you herewith a deposition which has been forwarded to me, made by one William Moore, a British subject, concerning his having been apprehended by the United States authorities on San Juan island, and compelled to work in the trenches, and, when released, deprived of the sum of seventy-five dollars.

2. I bring this matter to your notice with the full assurance that you will cause it to be investigated, and such reparation made as the circumstances may demand.

I have the honor to be, sir, your most obedient, humble servant,
JAMES DOUGLAS.

Lieutenant General WINFIELD SCOTT,
Commanding in Chief the Army of the United States.

23 j.

[Enclosure.]

I, William Moore, state as follows:

I. That I am a British born subject, and a native of Sligo, in Ireland.

II. I have been traded with my canoe between Victoria and Belvue island for nearly two months, dealing in onions, potatoes, bread, milk, and sometimes liquor, taking with me on several trips from two to five gallons at a time.

III. Early on the morning of the 16th September last I sold to a party of the name of Powell, who is an employé of the Hudson's Bay company, a bottle of rum, for which I received the sum of one dollar. Powell returned shortly after he took the rum away, and asked me if I was on good terms with an American of the name of Crow; I said I had never been on bad terms with him. About an hour after this occurred, I saw this party—Crow—and the sheriff coming down towards me. The sheriff said, "I have a warrant for you, my son, and want you to come along with me." I went with him to the court-house, and arrived there about 8 o'clock in the morning.

He was tried the same day, and the judge (Crosbie) said I was

guilty, and ordered me to the guard-house till next day. I was then put into a tent with six or seven soldiers, who were prisoners, and after I had been there about half an hour, the sheriff said he had orders to search me, and accordingly took my purse, containing \$160.

V. On the morning of the 17th, the prisoners turned out to work, and I answered to my name, when it was called, and subsequently went to work in the trenches, rollingstones and shovelling earth there. Previously, however, to going to work, I asked the sergeant of the guard if I was to work with the rest; when he replied, "that he had orders from Captain English, the officer of the day, to put me to work with the rest."

VI. I worked in the trenches till the prisoners were called in to prepare for dinner, and between 2 and 3 o'clock a constable, by the name of Cutler, took me to the court-house. Judge Crosbie then told a constable to take seventy-five dollars from my purse, which was lying on the table, which he did, and gave me the rest of the money, and I was then informed that I was discharged. Judge Crosbie never asked me if I was a British or American subject.

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WILLIAM + MOORE.
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Sworn at Victoria, on this sixth day of October, in the year of our Lord one thousand eight hundred and fifty-nine, before me, having been first read over and explained to the said William Moore, who seemed perfectly to understand the same.

DAVID CAMERON, C. J.

I, Richard K. Powell, employé of the Hudson's Bay Company, at Bellevue island, state as follows: That I personally saw William Moore at work in the trenches, on Bellevue island, on the 17th September last, along with other prisoners, and I believe he was so put to work in consequence of orders from the court, or Judge Crosbie, the magistrate on the island.

R. R. POWELL.

Subscribed in presence of us, who have hereunto set our names as witnesses.

(D) JOHN COPLAND, of *Yates street, Victoria*.
(D) WILLIAM YILLECK, of *Esquimaux*.

23 k.

HEADQUARTERS OF THE ARMY,

U. S. Propeller Massachusetts, W. T., November 9, 1859.

SIR: I have the honor to acknowledge the receipt, at the same time of your two notes of the same date, the 7th instant.

I am pleased to learn that "her Majesty's authorities [on San Juan island] will be enjoined to abstain from any acts of interference or

exclusive jurisdiction of title is

In the same way, an officer on the coast of Washington, residing or having a dispute between further instructions of the number of the prisoners, soldiers, shall represent

shall ask for the return of the commander may ex-

I touch the case presented to me, because the wrong

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His excellency Governor

The following

headquarters of the excellency Governor

November 7, 1859. 1. "The general

sovereignty of the governments have equ

exclusive jurisdiction [in respect to American citizens] until the question of title is settled."

In the same spirit I had earlier determined to instruct our commanding officer on the island to allow no person claiming to be a functionary of Washington Territory to interfere with any British subject residing or happening to be on the same island whilst it shall remain in dispute between our respective governments; and I shall add this further instruction, that if any British subject should become a disturber of the peace of the island, or a seller of strong liquors to American soldiers, without permission from their commander, the latter shall represent the case to the nearest British authority, and respectfully ask for the instant removal of the offender; and if afterwards he shall return to the island without permission, the American commander may expel him therefrom without further ceremony.

I touch the complaint of William Moore, supported by his deposition, presented to me by your excellency, with great reluctance—first, because the wrong done him, if any, was mainly at the hands of a judge, presume, of Washington Territory, and consequently beyond my control; and, second, because I do not doubt that Moore has grossly stated or exaggerated his case. I am at a distance from the island and from every officer who may have known anything of the transaction in question, and am, moreover, in the act of taking my departure for Washington, but shall refer the matter specially to Lieutenant Colonel Casey, the present commander on the island, who will investigate the complaint carefully, and who, I am sure, will take pleasure in addressing, so far as may be in his power, any wrong Moore may have sustained. And your excellency will not fail to perceive that I have my instructions to Captain Hunt, as shadowed above, taken measures to guard against future interference with British subjects. I have the honor to remain, with high consideration, your excellency's most humble servant,

WINFIELD SCOTT.

His excellency JAMES DOUGLAS, Esq., C. B.,
Governor of the Colony of Vancouver's Island
and its dependencies, and Vice-Admiral of the same.

[Enclosure.]

23 k.

The following extracts of communications, addressed from the headquarters of the army to different commanders, were furnished to your excellency Governor Douglas, with the general-in-chief's letter of November 7, 1859:

1. "The general-in-chief wishes it to be remembered that the sovereignty of the island (San Juan) is still in dispute between the two governments, and, until definitely settled by them, that British subjects have equal rights with American citizens on the island.

"L. THOMAS,
"Assistant Adjutant General."

[To Captain Hunt, commanding company C, 4th infantry, San Juan island.]

2. "For your information and guidance I put under cover with this copies of the general's communications to the governor of Vancouver's island, dated the 5th and 9th instant, respectively, as also a copy of his special order on the same subject. These papers will show the *spirit* in which it is expected you will execute the delicate and important trust confided to you, the general having full confidence in your intelligence, discretion, and (in what is of equal importance in this case) your *courtesies*.

"L. THOMAS,
"Assistant Adjutant General."

23 l.

HEADQUARTERS OF THE ARMY, U. S. PROPELLER MASSACHUSETTS,
Off Port Townsend, W. T., November 9, 1859.

SIR: Your company, with only its appropriate arms, is to be left alone on San Juan island, when you will revert to the instructions from the headquarters of the department of Oregon, dated July 18, 1859.

For your information and guidance I put under cover with this copies of the general's communications to the governor of Vancouver's island, dated the 5th and 9th instant, respectively, as also a copy of his special orders on the same subject. These papers will show you the spirit in which it is expected you will execute the delicate and important trust confided to you, the general having full confidence in your intelligence, discretion, and (in what is of equal importance in this case) your *courtesies*.

It is, further, the direction of the general that after the departure of Captain Pickett's company you occupy his part of the camp, where your men will be better sheltered during the winter, and also be further removed from the establishment of the Hudson's Bay Company. Captain Pickett will, of course, be at liberty to take back to Fort Bellingham the property carried over to the island, such as doors, window-sash, &c., as also his company property, but it is hoped that some part of the excellent shelter he erected may be transferred to you.

I am, sir, very respectfully, your obedient servant,

L. THOMAS.

Captain LEWIS C. HUNT,
Commanding Company C, 4th Infantry, San Juan Island.

23 m.

HEADQUARTERS OF THE ARMY, U. S. PROPELLER MASSACHUSETTS,
Off Port Townsend, W. T., November 9, 1859.

SIR: I herewith put under cover, for your information and government, the following papers, viz:

1. A copy of Special Orders, dated November 5, 1859.

2. An open package for Captain Hunt.

I am desired by the general-in-chief to add that he wishes you to leave with Captain Hunt's company two effective subalterns.

I enclose a copy of an affidavit made at Victoria the 6th of October last, by William Moore, claiming to be a British subject, who complains of injustice done him, not only on the part of the civil authorities of Washington Territory, but on that of the military. His statement is no doubt greatly misstated and exaggerated, but the general wishes you to make a careful examination of the case, and redress, as far as may be in your power, any wrong Moore may have sustained. He wishes you, further, to furnish the colonial secretary of Vancouver's island with the results of your examination.

I am, sir, very respectfully, your obedient servant,

L. THOMAS,

Assistant Adjutant General.

Lieutenant Colonel SILAS CASEY,
Officer Commanding at San Juan.

23 n.

HEADQUARTERS OF THE ARMY, U. S. PROPELLER MASSACHUSETTS,
Off Port Townsend, W. T., November 9, 1859.

GENERAL: By direction of the general-in-chief I enclose for your information and guidance the following papers, viz:

1. Copies of the general-in-chief's communication to his excellency Governor Douglas, dated the 5th and 9th instant.
2. A copy of Special Order, dated the 5th instant.
3. A copy of my letter to Captain Hunt, dated the 9th instant.

These papers will show you to what extent the general has interfered in the affairs of the department of Oregon, except that he has made free use of the United States propeller Massachusetts, on board of which vessel he made his headquarters.

Captain Hunt will be left on the island of San Juan, under your instructions of July 18, modified by my letter to him dated the 7th instant; but the general-in-chief wishes it to be remembered that the sovereignty of the island is still in dispute between the two governments, and, until definitely settled between them, that British subjects have equal rights with American citizens on the island.

Captain Fauntleroy represents that the Massachusetts leaks badly, and that repairs are necessary, which can better be done at San Francisco this winter. The general-in-chief concurs, but gives no orders on the subject.

I have the honor to be, very respectfully, your obedient servant,

L. THOMAS,

Assistant Adjutant General.

Brig. Gen. W. S. HARNEY,
Commanding Department of Oregon, Fort Vancouver, W. T.

23 o.

HEADQUARTERS OF THE ARMY,
St. Helen's, Oregon, November 15, 1859.

SIR: Intending at the first moment to urge that the two departments on the Pacific should be thrown back into one, and being aware of your preference for that having St. Louis as its headquarters, I have already suggested to you a change. Another motive has just occurred to me for renewing the subject.

I have no doubt that one of the preliminary demands which will be made by the British government upon ours, in connexion with your occupation of the island of San Juan, will be your removal from your present command.

In such an event it might be a great relief to the President to find you, by your own act, no longer in that command.

I make the suggestion from public considerations solely, and have not received the slightest hint to that effect from Washington.

To take effect in conformity with your own wishes, I enclose herewith a conditional order to repair to St. Louis, Missouri, and assume the command of the department of the west.

If you decline the order, and I give you leave to decline it, please throw it into the fire; or, otherwise, before setting out for the east, call your next in rank to you, and charge him with the command of the department of Oregon.

We have been forced into this river by a defect in a boiler, and to take in a new supply of coal. I may not have time to hear in reply from you on this side of the continent, unless we arrive at San Francisco too late for the Panama steamer of the 20th instant, which we begin to fear.

I am, sir, very respectfully, your obedient servant,

WINFIELD SCOTT.

Brig. Gen. W. S. HARNEY,

Commanding Department of Oregon, Fort Vancouver, W. T.

23 p.

[Special Order No. —.]

HEADQUARTERS OF THE ARMY,
St. Helen's, Oregon, November 15, 1859.

Brigadier General Harney will repair to St. Louis, Missouri, and assume command of the department of the west. Colonel Wright, 9th infantry, or next senior present, will be charged, until further orders, with the command of the department of Oregon, and will be instructed to repair to Fort Vancouver.

By command of Lieutenant General Scott.

L. THOMAS,
Assistant Adjutant General.

24. *General Harney to General Scott.*

HEADQUARTERS DEPARTMENT OF OREGON,
Fort Vancouver, W. T., November 17, 1859.

SIR: I have the honor to acknowledge the receipt of a communication from the headquarters of the army, dated St. Helen's, Oregon, November 15, 1859, and signed by the general-in-chief, enclosing a conditional order for me to repair to St. Louis, Missouri, and assume the command of the department of the west.

The general-in-chief is pleased to express himself in the following language in this communication, viz:

"I have no doubt that one of the preliminary demands which will be made by the British government upon ours, in connexion with your occupation of the island of San Juan, will be your removal from your present command.

"In such event it might be a great relief to the President to find you, by your own act, no longer in that command."

The general-in-chief states this is his own opinion in the matter, as he has not received the slightest hint to that effect from Washington, and concludes by giving me the liberty of declining this order.

In reply to this communication of the general-in-chief, I desire to inform him I am not disposed to comply with such an order. I do not believe the President of the United States will be embarrassed by any action of the British government in reference to San Juan island; nor can I suppose the President would be pleased to see me relinquish this command in any manner that does not plainly indicate his intentions towards the public service.

I am, sir, very respectfully, your obedient servant,

WM. S. HARNEY,
Brigadier General Commanding.

ASSISTANT ADJUTANT GENERAL,
Headquarters of the Army, New York City.

25. *General Harney to the Adjutant General.*

HEADQUARTERS DEPARTMENT OF OREGON,
Fort Vancouver, W. T., November 17, 1859.

COLONEL: I have the honor to enclose copies of a communication from the general-in-chief, Lieutenant General Scott, dated at St. Helen's, Oregon, November 15, 1859, with a conditional order for me to repair to St. Louis, Missouri, and assume the command of the department of the west; also, a copy of my reply to the same.

I respectfully request that these papers may be submitted to the President of the United States, for his information.

The general-in-chief states he intends to urge that the two departments on the Pacific should be thrown back into one, and this declaration of his intentions, taken in connexion with his conditional order

to me, may induce the President to infer that I concur in opinion with the general-in-chief as to a necessity for this change.

I feel compelled, therefore, to submit my views on this subject to the President, as I do not agree with the general-in-chief in his conclusions. I undertake this duty with the greater reluctance, as I fully appreciate the weight of support, the high rank, and great experience of the general-in-chief must always give to his opinion, and I depend solely on the cogency of the facts I shall offer to induce the President to permit the present military organization of this coast to exist undisturbed.

The records of the War Department will show that before the establishment of this command, an Indian war was either being prosecuted in Oregon or Washington Territory, or the inhabitants were living in daily apprehension of their lives from the fearlessness and confidence of the Indians in their power over them.

The troops were scattered over an extended country, few in numbers, and without an officer of rank and authority present to concentrate them, in a case of necessity, for the protection of the people.

The Indians understood the defenceless condition of both citizens and soldiers under such a system, and did not hesitate to plunder and murder whenever they were so inclined. They were eventually so emboldened by the immunity permitted them, as to enter into a most formidable coalition for the purpose of driving the white race from the country.

It was then that the commander on the Pacific coast was forced to concentrate his troops and to place himself at their head to recover the country from his enemies.

General Clarke could not have succeeded against the Spokanes, Cœur d'Alènes, and the other tribes, had he remained in San Francisco and directed his operations from that place. His voluntary act in placing himself in close communication with his troops and making his headquarters at this point, during those troubles, is the very best evidence that he was of this opinion. The facts then show that to keep in check Indian disturbances in this country the commander of the troops should be stationed with them, as at present.

The recommendation of the general-in-chief to return to the old system of placing the commander one thousand miles off, in San Francisco, is overlooking a fundamental military principle, viz: that a commander should have the communication with his troops certain and uninterrupted, to enable him to use them to the best advantage on any emergency.

One month of time is consumed in sending a letter to San Francisco from here and receiving an answer; the opportunity to do this only offers twice in each month, and this is the nearest point in the whole command to San Francisco. Could there be a more forcible illustration of its unfitness as a station for the headquarters of the troops serving in this country?

The people of Oregon and Washington Territories were forced into an Indian war in the years of 1855-'56, in consequence of a want of proper military protection; the expenses of that war still bear very heavily upon them, and they will view with much concern and appre-

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hension any change having the tendency to produce other disasters of like character.

Much of the advancement of this section of our Pacific coast is due to the annual emigration from the States in the east. Under the department organization of this year ample protection has been given to the emigrants, and, I am happy to say, with complete success; would it not be well to test thoroughly a system producing such good results before considering a change?

The advantages to the troops in point of efficiency are in favor of the retention of the department of Oregon, and should not pass unnoticed. The soldiers are always better cared for, and the rules and regulations enforcing discipline and duty are more strictly observed, to the advancement of economy and the regularity of service, under the supervision and in the presence of an officer of rank and authority, than when he is placed at a distance from them; in that instance he depends for his information on the reports of others, which are not unfrequently incorrect from carelessness or design.

Another important reason I ought not to omit in this enumeration for retaining a well-appointed command in this department, is its isolated position and close proximity to the territories of a power with whom we have a boundary in dispute, and whose known want of faith and integrity is only to be met successfully by a firm determination on our part not to be trifled with.

In conclusion, I beg to assure his excellency the President that the public interest alone has induced me to present to his consideration the propriety and necessity of maintaining the department of Oregon as it is now organized. Indeed, it is pertinent to this occasion for me to say I believe the President has been aware, for some months past, of my earnest desire to return to the east for the purpose of seeing my family, from whom I have been separated, by the calls of the service, for nearly five years.

I cannot at this time make a formal application to be relieved from this command, lest it derange any course already decided; still I should esteem it as a high favor if his excellency would extend this indulgence to me at his earliest convenience.

I have the honor to be, colonel, very respectfully, your obedient servant,

W. S. HARNEY,
Brigadier General, Commanding.

Colonel S. COOPER,
Adjutant General U. S. A., Washington City.

26.—*General Harney to the Adjutant General.*

HEADQUARTERS DEPARTMENT OF OREGON,
Fort Vancouver, W. T., January 24, 1860.

COLONEL: I have the honor to enclose, for the information of the War Department, a certified copy of a resolution relative to San Juan

H. Ex. Doc. 65—6

island, which has passed unanimously the legislative assembly of Washington Territory.

I am, colonel, very respectfully, your obedient servant,
W. S. HARNEY,
Brigadier General, Commanding.

Colonel S. COOPER,
Adjutant General, Washington City, D. C.

26 a.

Council of Washington Territory—7th Session.

Whereas it has come to our knowledge that attempts are making, or will be made, to merge the military department of Oregon into the department of the Pacific, and in case this is not effected, to cause Brigadier General William S. Harney to be removed from command; and

Whereas we believe that said department was established for good and sufficient reasons, which reasons still exist in as full force as when said department was established, the interior of our Territory being still occupied by numerous tribes of Indians, only restrained from hostilities by the presence of large bodies of troops, and our frontier being still liable to murderous incursions of powerful and savage hordes of Indians living upon a foreign soil; and

Whereas experience has shown that, in order that these troops may act promptly and efficiently for the protection of our Territory, it is necessary that the headquarters of the department should be of convenient access, which would not be the case were it removed to the State of California; and

Whereas General Harney, in all his official acts while in command of this military department, by protecting us from Indians, domestic and foreign; securing and maintaining peace by revoking those unlawful military orders, under which an attempt was made to exclude our citizens from portions of our Territory, which, under the laws, were open to settlement; opening communications between different portions of the Territory; protecting emigration by placing troops on the island of San Juan, an island which is as unquestionably American soil as any other portion of our Territory; for the protection of American settlers against foreign Indians, and against attempted acts of foreign jurisdiction, has deserved and secured the entire confidence of the people of this Territory: Therefore be it

Resolved, That we, the legislative assembly of the Territory of Washington, earnestly and respectfully protest against any change by which the military department of Oregon shall be merged into any other department, and against its headquarters being removed.

Resolved, That we respectfully and earnestly solicit the President of the United States to continue the present able, experienced, and prudent officer (Brigadier General Harney) in command of said military department.

Resolved, That we firmly believe General Harney has acted in a prudent and proper manner in placing a military force on the island of San Juan for the protection of American citizens from foreign savages and wanton aggressions of foreign officials:

1. Because the island is clearly ours under a fair construction of the treaty.

2. Because said island is within the military department of Oregon, it having been, by an act passed in 1854, at the first session of the legislative assembly of this Territory, made a part of the organized county of Whatcom, which act was duly submitted to the Congress of the United States, as by the organic act is required, and has not to this day been disapproved, and is still the law of the land; and

3. Because, at the time, the circumstances of the case required that a military force should be placed there.

Resolved, That General Harney, having rightfully placed a military force upon said island, would have been recreant to his trust had he failed to support it with all the power at his command when it was threatened with an attack by a foreign nation.

Resolved, That having the fullest confidence in our title to the island, our right should be maintained at all hazard.

Resolved, That we most respectfully ask the proper authorities to revoke the odious military order placing San Juan island (a portion of Whatcom county) under military rule.

Resolved, That we have the fullest confidence that the President of the United States will act justly and firmly in the premises, and that American rights will be fully vindicated by him.

Resolved, That copies of these resolutions, duly signed and certified, be sent to our delegate in Congress, to be by him submitted to the President of the United States; and also to General W. S. Harney.

We hereby certify that the foregoing resolutions is a true copy of the original, *unanimously* passed by the legislative assembly of Washington Territory.

JOHN D. BILES.

Speaker of the House of Representatives.

H. J. G. MOXON,

President of the Council.

JANUARY 7, 1860.

II. MILITARY AFFAIRS IN THE DEPARTMENT OF OREGON.

1. *The Adjutant General to General Harney.*

ADJUTANT GENERAL'S OFFICE,
Washington, September 14, 1858.

GENERAL: In transmitting to you the enclosed "general orders" No. 10, I am directed by the Secretary of War to communicate the following instructions, which are to guide you in prosecuting the war against the Indians of Washington and Oregon Territories:

The campaign, already commenced by Brevet Brigadier General Clarke, must be prosecuted with the greatest possible vigor and activity, and the hostile bands must be thoroughly chastised and subdued. There will be no cessation of the campaign from the winter, that being on many accounts the most favorable season for striking at the homes and herds of the hostiles. The fall of snow, at no time sufficient to prevent the ready operations of troops in the valleys lying between the Cascade and Rocky mountains, where the Indians dwell and graze their animals in winter, is, nevertheless, so great in the mountain passes as to prevent their passage by the Indians. Their families and herds will thus be readily reached by the troops, and no exertions should be spared to capture the first and destroy the last.

No overtures of friendship should be made to any tribes before the chastisement of the hostiles. It would be taken as an evidence of weakness or fear, and exaggerate rather than relieve the evils of a war with those people.

Undoubted evidences of friendship towards the whites by any of the tribes should be met in a spirit of kindness, but overtures should not be made to any.

The Secretary further directs me to say that he expects you to let no opportunity pass of communicating events to the War Department, and to this end he desires you to forward to the Adjutant General duplicates of your reports, which, in the ordinary channel, will pass through army headquarters.

I have the honor to be, general, very respectfully, your obedient servant,

E. D. TOWNSEND,
Assistant Adjutant General.

Brig. Gen. W. S. HARNEY,
United States Army, Washington, D. C.

1 a.

GENERAL ORDERS No. 10.

WAR DEPARTMENT,
Adjutant General's Office, Washington, Sept. 13, 1858.

I. The President directs that the department of the Pacific be divided into two parts. The southern part will be called the depart-

ment of California; headquarters, San Francisco. The northern part, to embrace the Territories of Washington and Oregon, excepting the Rogue River and Umpqua districts, will be called the department of Oregon; headquarters, Fort Vancouver.

II. Brevet Brigadier General N. S. Clarke, colonel 6th infantry, is assigned to the command of the department of California. In thus abridging the limits of his command—a measure demanded by the length of time required for communication between its northern and southern portions—the Secretary of War specially commends the activity, zeal, and judgment displayed by General Clarke in concentrating the troops of his department for energetic operations against the hostile Indians of the north, as soon as their outbreak became known.

III. Brigadier General W. S. Harney is assigned to the command of the department of Oregon, and will proceed to his post with all possible despatch. The President directs that Captain A. Pleasonton, 2d dragoons, accompany General Harney as acting assistant adjutant general.

IV. The commandant of the corps of engineers will detail two officers and a detachment of not exceeding fifty engineer soldiers, with the complement of non-commissioned officers, for service in the department of Oregon. The Quartermaster's department will furnish transportation for this detachment to Fort Vancouver.

V. The several staff departments will make the necessary arrangements for the supply of the department of Oregon from the California depots.

VI. During the campaign against the Indians, the troops in the department of Oregon will be allowed two extra rations per week of desiccated vegetables.

By order of the Secretary of War:

E. D. TOWNSEND,
Assistant Adjutant General.

2. *General Harney to General Scott.*

SAN FRANCISCO, CALIFORNIA,
October 19, 1858.

MAJOR: I have the honor to report my arrival at this place *en route* to my command in Oregon and Washington Territories.

General Clarke, who has just arrived from the seat of Indian difficulties, informs me that the hostile bands have sued for peace, and have fully complied with the conditions he imposed upon them. I have therefore considered, after consultation with General Clarke, it would be more expedient to retain the 6th regiment of infantry in service in California than transfer it to Oregon at this late season, the exigency for their presence being removed, and the number of troops

now present in Oregon and Washington Territories being deemed by General Clarke sufficient for such service as may be required for them during the winter.

Captain Pleasonton, Lieutenant Jesup, and the Rev. P. J. De Smet are on duty with me, agreeably to existing orders.

I am, major, very respectfully, your obedient servant,

WM. S. HARNEY,

Brigadier General United States Army.

Major J. McDowell,

Assist. Adj. Gen., Headquarters Army, N. Y. City.

3. General Harney to General Scott.

FORT VANCOUVER, W. T.,

October 24, 1858.

SIR: I have the honor to report my arrival at this post, this morning, after a voyage of thirty-three days from New York. As the steamer which conveyed me returns immediately to San Francisco, this communication is rendered to be sent by it to avoid a delay of two weeks, until the time of departure of the next mail steamer.

In my report from San Francisco it was stated that, after consultation with General Clarke, an arrangement had been determined upon to delay the 6th regiment of infantry in California for service in that department, retaining the troops now serving in Washington and Oregon Territories for the department of Oregon. This arrangement to be subject to the approbation of higher authority.

From all the information I have been able to obtain up to this time, I consider it essential and necessary that the force now here should not be diminished this winter, but that the steps which have been taken to subdue these Indians should be vigorously followed up; and in the event of a winter's campaign, by the entire force not being required, an imposing force should be marched through the country of the disaffected Indians, next spring and summer, to complete the impression already made, and to satisfy them the troops have not left the department.

Detailed reports of the state of affairs under my command will be transmitted as soon as correct and authentic information of the same is obtained.

Captain A. Pleasonton, 2d dragoons, acting assistant adjutant general, and the Rev. P. J. De Smet accompanied me to this place. Upon his own application, permission was granted to Brevet Second Lieutenant C. E. Jesup, of the 10th infantry and aide-de-camp, to join his regiment. He was left at San Francisco for this purpose.

I am, sir, very respectfully, your obedient servant,

W. S. HARNEY,

Brigadier General, U. S. Army.

ASSISTANT ADJUTANT GENERAL,

Headquarters of the Army, New York City.

3 a.

[Orders.]

NEW YORK CITY, *September 20, 1858.*

Brevet Second Lieutenant C. E. Jesup, of the 10th infantry, having reported for duty as aide-de-camp, he will accompany the general to Fort Vancouver, Washington Territory.

By order of Brigadier General Harney :

A. PLEASANTON,
Captain 2d Dragoons, A. Asst Adj. General.

3 b.

[Orders.]

SAN FRANCISCO, CALIFORNIA, *October 20, 1858.*

Brevet Second Lieutenant C. E. Jesup, of the 10th infantry and aide-de-camp, having requested permission to join his company, the prospect of active service in the department of Oregon being now remote, he will proceed to Washington city, and report in person to the Adjutant General for the necessary instructions.

By order of Brigadier General Harney :

A. PLEASANTON,
Captain 2d Dragoons, A. Asst Adj. General.

4. *General Harney to General Scott.*

HEADQUARTERS DEPARTMENT OF OREGON,
Fort Vancouver, W. T., October 29, 1858.

SIR: I have the honor to submit a report from Colonel G. Wright, of the 9th infantry, in relation to the present disposition and feeling of the Indians, who were but recently in a hostile attitude to the government and citizens of this country. Copies of three treaties, which have been made with the Spokanes, the Cœur d'Alénes, and Nez Percés, are also enclosed.

It will be seen from these communications that a material change has been effected in the minds of these savages as regards the power as well as the determination of the government to carry out its measures concerning them. They have accordingly made very fair promises, and have thus far fulfilled the conditions prescribed.

Two of the principal instigators of the late disturbances are still at large, and it is reported they have fled to the Flathead country. I shall insist upon their being given up; and then, from all the information I can obtain from every quarter, I am inclined to believe the Indians in this department can easily be controlled. At an early date I shall submit my views of the proper disposition of the troops to com-

mand the Indians in future, and protect the emigrant routes to the territories included in this department.

I am, sir, very respectfully, your obedient servant,

WM. S. HARNEY,
Brigadier General, Commanding.

ASSISTANT ADJUTANT GENERAL,
Headquarters of the Army, New York City.

4 a.

FORT VANCOUVER, W. T., October 28, 1858.

SIR: I have this moment received your communication of this date.

With regard to the present disposition and feeling of the various Indians with whom I have been brought in contact during the late campaign, I can assure the general that we have nothing to apprehend. The *Nez Percés*, *Spokanes*, *Cœur d'Alénes*, *Pelouses*, *Walla-Wallas*, and other tribes residing on both banks of the Columbia and its tributaries, are now regarded as entirely friendly. Written treaties have been made with the *Nez Percés*, *Spokanes*, and *Cœur d'Alénes*, and verbal treaties with the smaller bands. The *Pelouses* were severely punished; ten of the worst of them were executed, and a chief with four men with their families carried to Walla-Walla as hostages. I have also taken hostages from the *Spokanes* and *Cœur d'Alénes* and retain them at Fort Walla-Walla.

With regard to the Indians in the neighborhood of Colville, there are doubtless some bad men among them, who should be punished. Their acts are confined to robbing and stealing, but I have no information that any murders have been recently committed. A gentleman residing in Colville valley wrote to me a few days since; he says nothing of the miners having been driven off, or of the Indians having committed any hostilities. I would recommend that an expedition be sent through that country next spring, and such Indians as deserve it severely punished, and then I think we shall have no more trouble in that quarter.

I am not in favor of establishing permanent posts in advance of Walla-Walla. Annual expeditions, at little expense, can be made through the Indian country, north, east, and south of Fort Walla-Walla, and in this way I think that tranquillity and peace can easily be maintained.

Should it be desired to establish a post in the Colville valley, it would be well to defer it until another season, after an expedition has been made and the localities well examined. It is too late now: the ground will be covered with snow before the troops could reach that country.

Very respectfully, your most obedient servant,

G. WRIGHT,
Colonel 9th Infantry.

Capt. A. PLEASANTON, *A. Ass't Adj't Gen'l*,
Headquarters Department of Oregon, Fort Vancouver, W. T.

4 b.

Preliminary articles of a treaty of peace and friendship between the United States and the Cœur d'Alène Indians.

ARTICLE 1. Hostilities between the United States and the Cœur d'Alène Indians shall cease from and after this date, (September 17, 1858.)

ART. 2. The chiefs and headmen of the Cœur d'Alène Indians, for and in behalf of the whole nation, agree and promise to surrender to the United States all property in their possession belonging either to the government or to individuals, whether said property was captured or abandoned by the troops of the United States.

ART. 3. The chiefs and headmen of the Cœur d'Alène nation agree to surrender to the United States the men who commenced the battle with Lieutenant Colonel Steptoe, contrary to the orders of their chiefs, and also to give at least one chief and four men, with their families, to the officer in command of the troops, as hostages for their future good conduct.

ART. 4. The chiefs and headmen of the Cœur d'Alène nation promise that all white persons shall travel through their country unmolested, and that no Indians hostile to the United States shall be allowed within the limits of their country.

ART. 5. The officer in command of the United States troops, for and in behalf of the government, promises that if the foregoing conditions are fully complied with no war shall be made upon the Cœur d'Alène nation; and, further, that the men who are to be surrendered, whether those who commenced the fight with Lieutenant Colonel Steptoe, or as hostages for the future good conduct of the Cœur d'Alène nation, shall in nowise be injured, and shall, within one year from the date hereof, be restored to their nation.

ART. 6. It is agreed by both of the aforesaid contracting parties that when the foregoing articles shall be fully complied with a permanent treaty of peace and friendship shall be made.

ART. 7. It is agreed by the chiefs and headmen of the Cœur d'Alène nation that this treaty of peace and friendship shall extend also to include the Nez Percé nation of Indians.

Done at the headquarters of the expedition against the northern Indians and the Cœur d'Alène Mission, Washington Territory, this seventeenth day of September, eighteen hundred and fifty-eight.

G. WRIGHT,

Colonel 9th Infantry, Com'g U. S. Troops.

MIL-NAP-SI,	his x mark.
SAL-TOSE,	his x mark.
VINCENT,	his x mark.
JOSEPH,	his x mark.
JEAN PIERRE,	his x mark.
PIERRE PAULINE,	his x mark.
and 12 other chiefs.	

Witnesses:

E. D. KEYES, *Captain 3d Artillery,*
and the principal officers of the command.

4 c.

Preliminary articles of a treaty of peace and friendship between the United States and the Spokane nation of Indians.

ARTICLE 1. Hostilities shall cease between the United States and the Spokane nation of Indians from and after this date.

ART. 2. The chiefs and headmen of the Spokane Indians, for and in behalf of the whole nation, promise to deliver up to the United States all property in their possession belonging either to government or to individual white persons.

ART. 3. The chiefs and headmen of the Spokane Indians, for and in behalf of the whole nation, promise and agree to deliver to the officers in command of the United States troops the men who commenced the attack upon Lieutenant Colonel Steptoe, contrary to the orders of their chiefs, and, further, to deliver as aforesaid at least one chief and four men, with their families, as hostages for their future good conduct.

ART. 4. The chiefs and headmen of the Spokane nation of Indians promise, for and in behalf of the whole tribe, that all white persons shall at all times and places pass through their country unmolested, and, further, that no Indians hostile to the United States shall be allowed to pass through or remain in their country.

ART. 5. The foregoing conditions being fully complied with by the Spokane nation, the officers in command of the United States troops promise that no war shall be made upon the Spokanes, and, further, that the men delivered up, whether as prisoners or hostages, shall in nowise be injured, and shall within the period of one year be restored to their nation.

ART. 6. It is agreed by both the aforesaid parties that this treaty shall also extend to and include the Nez Percé nation of Indians.

Done at the headquarters of the expedition against the northern Indians, at camp on the Ned-whauld, (or Lahtoo,) Washington Territory, this twenty-third day of September, eighteen hundred and fifty-eight.

G. WRIGHT,
Colonel 9th Infantry, Commanding.

POHLATKIN,	his x mark.
SPOHAN GARFY,	his x mark.
SKULHULL,	his x mark.
MOIST-TEUM,	his x mark.
SKI-KI-AH-MEW,	his x mark.
SHE-LUH-KE-ITS-ZE,	his x mark.
PII-AH-MENE,	his x mark.
HOH-HOH-MEE,	his x mark.
HUSE-TESH-TUIN-HIGH,	his x mark.
NUH-SHIL-SHE-HIL-SOTE,	his x mark.
CHE-LAH-HIM-SHE,	his x mark.
HUST-SUIT-TAIL,	his x mark.
KEH-HO,	his x mark.

QUALT-TU-TOSE-SUM, (or Big Star,) his x mark.
 CHEY-YAL-ROTE, his x mark.
 QUOI-QUOI-YON, his x mark.
 IN-SKO-ME-NAY, his x mark.
 ITS-CHE-MON-NEE, his x mark.

and 17 other chiefs.

Witnesses:

Captain E. D. KEYES,
 and the principal officers of the command.

4 d.

Treaty of peace and friendship between the United States and the Nez Percés tribe.

ARTICLE 1. It is agreed that there shall be perpetual peace between the United States and the Nez Percés tribe.

ART. 2. In the event of war between the United States and any other people whatever, the Nez Percés agree to aid the United States with men to the extent of their ability.

ART. 3. In the event of war between the Nez Percés and any other tribe, the United States agree to aid the Nez Percés with troops.

ART. 4. When the Nez Percés take part with the United States in war, they shall be furnished with such arms, ammunition, provisions, &c., as may be necessary.

ART. 5. When the United States take part with the Nez Percés in war, they (the United States) will not require the Nez Percés to furnish anything for the troops, unless paid for at a fair price.

ART. 6. Should any misunderstanding arise hereafter between the troops and the Nez Percés, it shall be settled by their respective chiefs in friendly council.

ALAYANA (and thirty-eight other chiefs.)

G. WRIGHT,

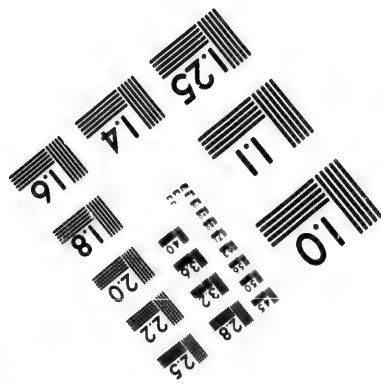
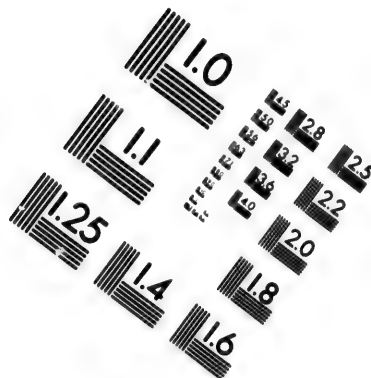
Colonel 9th Infantry, Commanding.

Witnesses:

G. F. HAMMOND,
 Assistant Surgeon, U. S. A.,
 and five other officers of the command.

HEADQUARTERS UNITED STATES TROOPS,
 Camp in the Walla-Walla Valley, August 6, 1858.





**23 WEST MAIN STREET
WEBSTER, N.Y. 14580
(716) 872-4503**

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5. *General Harney to General Scott.*

HEADQUARTERS DEPARTMENT OF OREGON,
Fort Vancouver, W. T., November 4, 1858.

SIR: I have the honor to inform the general-in-chief of the receipt of a report from Captain I. I. Archer, of the 9th infantry, commanding Fort Simcoe, in which it is stated that two of the three surviving murderers of Bolan, viz: "Stahan" and "Wapi-wapi-tla," had been brought in to that post by a party of friendly Indians, on the 16th ultimo, and that he had caused them to be hung. Captain Archer further reports that "Sugintch," the only remaining murderer, has since committed suicide, in order to disappoint the Indians who were endeavoring to capture him.

This prompt action on the part of Captain Archer is approved.
I am, sir, very respectfully, your obedient servant,

W. S. HARNEY,
Brigadier General, Commanding.

ASSISTANT ADJUTANT GENERAL,
Headquarters of the Army, New York City.

6. *General Harney to General Scott.*

HEADQUARTERS DEPARTMENT OF OREGON,
Fort Vancouver, W. T., November 5, 1858.

SIR: I have the honor to report that the state of the service as regards the disposition of the Indians in this department has not changed since my last communication, of the 29th ultimo. Nothing has been heard from Colville to confirm the rumors which were circulated on my arrival, and I am therefore inclined to believe they had but little foundation.

The Indians in this section of the country are entirely different from the great nomadic tribes of the plains, who own and roam over vast regions in search of plunder and game, and all of whose instincts are warlike. The tribes of Washington and Oregon Territories, with the exception of those residing near the Rocky mountains, are small in number, each occupying a limited territory, from which in many cases they obtain a meagre subsistence. The subdivisions of these Indians into tribes are very numerous. Those tribes residing on the Columbia river and its tributaries subsist principally upon fish, particularly the salmon, whose annual migration up these rivers forms one of the great curiosities of nature. Other tribes live on roots, berries, and such wild fruits as their country affords, and in times of great privation they obtain from the moss of the country, which is very abundant, a glutinous substance that supports life. The same improvidence which characterizes the Indian race elsewhere is seen here, attended by the same results; and it is not too much to predict that the red men of America

will gradually disappear about the same time from the different sections of our country.

From the different languages, interests, and jealousies existing among so many different tribes, a coalition of all of them in one common cause is impossible; indeed, the events of the past summer have shown the difficulties which require to be removed before a small number could be made to act together, and these difficulties are out of all proportion to the advantages and facilities the troops possess to crush them. If the reports I have received be correct, another coalition of these Indians will never be attempted.

For the welfare of the Indians, as well as the better security of the white settlers, I would respectfully recommend that the Indians of this department be placed on reservations assigned them by the government for their support and sustenance. A system of instruction in cultivating the soil applicable to them should also be adopted, with a proper provision of seeds and implements for their use.

Laws should also be passed defining their positions and their rights upon these reservations, which should be convenient to the military stations, that all controversies between them and the settlers may be decided on the spot, and that the Indian could have a market for his produce when desiring to dispose of it.

To secure the emigrant route to this department from the frontiers of Missouri, I shall establish a post in the spring in the vicinity of Fort Boise, on Snake river, some two hundred and thirty miles from Fort Walla-Walla. At least four companies should garrison this point—two of foot and two of mounted force. The road is a good one from Fort Walla-Walla, and it can be supplied from that point. I also respectfully recommend a post near Fort Hall on the same route, but would advise that the garrison, as well as the supplies, be furnished from the department of Utah, for reasons of economy and supervision.

As soon as the season will permit I shall establish a garrison of at least four companies in the vicinity of Colville, to protect the interests of the citizens in that quarter and serve as a check upon the Indian tribes who were so lately hostile.

The establishment of the above-mentioned posts is considered subject to the revision of higher authority.

I enclose a copy of my instructions to the Rev. P. J. De Smet, who, it will be seen, has proceeded to the Cœur d'Aléne Mission, by my directions, to visit the Indians of that vicinity for the purpose of observing their disposition, and to counsel them to observe most faithfully all the conditions they have promised to fulfil towards the government and its citizens.

I am, sir, very respectfully, your obedient servant,

W. S. HARNEY,

Brigadier General, Commanding.

ASSISTANT ADJUTANT GENERAL,

Headquarters of the Army, New York City.

6 a.

HEADQUARTERS DEPARTMENT OF OREGON,
Fort Vancouver, W. T., October 28, 1858.

DEAR SIR: The general commanding instructs me to say that he most cordially approves of your proposition to visit the Cœur d'Aléne Mission this winter, for he conceives the happiest results from your presence among the Indian tribes of that vicinity.

He has directed that every facility shall be furnished you to enable you to perform in safety the inclement and trying journey you are about to undertake. A copy of his instructions is enclosed herewith.

The general desires you to impress upon the Indians you are to counsel the strong necessity existing for them to live up to the conditions to which they have so lately subscribed in the treaties they have made, more especially in the surrender of such persons as were demanded of them. Two of these persons, *Kamiakin* and *Schloom*, it is reported, have gone among the Flatheads, but that circumstance must not prevent the tribes concerned from using every endeavor to obtain possession of them for the purposes above indicated.

While informing the Indians the government is always generous to a fallen foe, state to them it is at the same time determined to protect its citizens in every part of its territory, and that they can only expect to exist by implicitly obeying the commands they receive.

The same troops are permanently stationed in the country who met them in the field the past summer, and these will, most assuredly, be placed upon their trail in the spring, with instructions to give no quarter should they again turn a deaf ear to what has been told them.

I am instructed to say you will communicate freely with these headquarters.

The best wishes of the general will attend you in the holy mission of charity to which you have devoted yourself in so generous a manner.

I am, father, most respectfully, your obedient servant,

A. PLEASANTON,

Captain 2d Dragoons, Acting Asst. Adj't General.

Rev. Father P. J. DE SMET,
Chaplain, &c., Vancouver, W. T.

7. General Harney to General Scott.

HEADQUARTERS DEPARTMENT OF OREGON,
Fort Vancouver, W. T., November 22, 1858.

SIR: I have the honor to report, for the information of the general-in-chief, that I have caused the proper estimates to be made upon the staff departments in California for the supply of this command, in obedience to paragraph V of General Orders No. 10 from the War Department, dated Adjutant General's office, Washington, September 13, 1858.

From the reports that I have received, and my own observation, the public interests in this department will be greatly benefited by the despatch of all stores and supplies direct to depot at this point, without the expense and delay of reshipping in California. The reasons for this measure will appear so obvious it is unnecessary to mention them here, except to state that the present exigency of a portion of the troops being destitute of clothing, with none to issue and none to be obtained from California, for reasons yet unlearned, will not recur.

I trust the commanding general will take this matter into consideration, and cause the necessary orders to be given to the Quartermaster's, Subsistence, Medical, and Ordnance departments to insure its adoption.

Supplies should never arrive later than July at Fort Vancouver. They can then be shipped economically and expeditiously into the interior, when in the fall and winter their transportation is attended by serious delays and great expense from adverse winds and heavy rains.

I am, sir, very respectfully, your obedient servant,

W. S. HARNEY,

Brigadier General, Commanding.

ASSISTANT ADJUTANT GENERAL,

Headquarters of the Army, New York City.

8. General Harney to General Scott.

HEADQUARTERS DEPARTMENT OF OREGON,
Fort Vancouver, W. T., November 24, 1858.

SIR: I have the honor to request the consideration of the general-in-chief to the state of the mounted service in this department.

A board of survey ordered to examine the condition of the horses of the four companies of the 6th dragoons at Fort Walla-Walla has pronounced ninety-eight of the number as unfit for service, and should be replaced.

Existing orders allow but sixty horses in each mounted company, the number of enlisted men being eighty-five.

The economy and efficiency of this branch of the service suggest an increase of the number of horses to that of the men; the officers complain that the present inequality of numbers in horses and men renders the success in drill and instructions difficult of attainment.

In this remote command, where efficiency is so essential, this increase will inure to the public benefit.

Should the general-in-chief adopt these views, at least three hundred horses should be sent early in the spring from Fort Leavenworth, *via* the South Pass and Fort Hall, to Fort Walla-Walla. Horses requisite for dragoon service cannot be obtained on this coast.

As the dragoon force will be most useful on the route from Fort Walla-Walla to Fort Hall, the emigrant route to the States, they can meet these horses at Fort Hall and provide for them the remainder of the journey.

This supposes my former suggestion, to establish a force at Fort Hall and Fort Boise, to be adopted.

I am sir, very respectfully, your obedient servant,

W. S. HARNEY,
Brigadier General, Commanding.

ASSISTANT ADJUTANT GENERAL,
Headquarters of the Army, New York City.

9. *General Harney to General Scott.*

HEADQUARTERS DEPARTMENT OF OREGON,
Fort Vancouver, W. T., November 27, 1858.

SIR: I have the honor to report, for the information of the general-in-chief, that the commanding officer of Fort Walla-Walla released the Spokane and Cœur d'Aléne hostages in his charge, on the representations of the Reverend Fathers Congiati and Ravailé of the quiet and satisfactory state of affairs among the northern Indians, with whom these gentlemen have resided for some months past. Father Ravailé left Colville about two weeks since; he reports the Indians in that vicinity as peaceful and quiet.

I have directed that the Pelouse hostages be also released.

Both of the above-named missionaries assure me the Indians will never attempt to oppose the whites in any of their measures, as they have fully realized the folly of so doing.

Father Congiati, who is the superior of all the upper missions, places all of his establishments at my disposition, to support whatever policy may be deemed best for the Indians under their guidance.

I am, sir, very respectfully, your obedient servant,

W. S. HARNEY,
Brigadier General, Commanding.

ASSISTANT ADJUTANT GENERAL,
Headquarters of the Army, New York City.

10. *General Harney to General Scott.*

HEADQUARTERS DEPARTMENT OF OREGON,
Fort Vancouver, W. T., November 29, 1858.

SIR: I have the honor to enclose a report from Captain Ingalls, assistant quartermaster at this place, upon the expediency, economy, and advantage to the service of supplying the department of Utah from depots recommended to be established at Fort Vancouver.

The report includes the statements of several reliable persons of Oregon and Washington Territories, with a table of distances from Fort Vancouver to the Great Salt Lake City, and a map of the country through which the supplies must pass.

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Upon examining the map of the country on the Pacific coast, and the country connecting it with Utah, it will be seen an uninterrupted chain of mountains extends along the whole coast from the British possessions to Lower California, rendering access to the interior country extremely difficult, and in many places impossible. In Washington and Oregon Territories this chain of mountains is called the Cascade range of mountains, while in California it is termed by its Spanish name, the Sierra Nevada.

The bold and astonishing action of the Columbia river in forcing its way directly through the Cascade range of mountains in almost a straight line to the ocean has made the passage of this chain of mountains from Fort Vancouver extremely simple and easy. The only land travel which is now required to pass beyond the Cascade mountains from this point is over the two portages: one at the Cascades of five miles, the other at the Dalles of fifteen miles; at each portage there is now a good wagon road. The river is then navigable for good-sized steamers as high up as Fort Walla-Walla, and for smaller craft, the Snake river can be navigated as far as the mouth of the Pelouse river.

Again referring to the map, we perceive a great basin or plain extending up the Snake river from the Columbia river to the Great Salt Lake. This plain is watered by numerous streams, and the country is represented to be well wooded, with excellent grass.

All reports agree in stating that several good wagon routes can be made through this plain from the Columbia river to the Great Salt Lake City. The emigrant route from Fort Hall to the Dalles is at present a good road.

The distance to be passed over by land from the proposed depot at Umatilla to the Salt Lake City is estimated at 614 miles, but I have been informed that a good route one hundred miles shorter can be made from the Des Chutes river, passing to the head of the Malheur river, down the valley of that river to the Snake river. This route would place Salt Lake City 514 miles from the Dalles, at which point the depots of transshipment in wagons should be placed.

Another great consideration in favor of this route is, that it can be travelled at all seasons of the year; and I am credibly informed that the month of February is the best time to travel it, as the grasses are then most flourishing. My own evidence at this place supports this assertion, as the grass here at this time is as green and fresh as it is found in the western States in May.

The Sierra Nevada range of mountains of California cannot be crossed in safety with wagons before July; and it is well known supplies cannot be sent from Fort Leavenworth to arrive in Utah before August or September.

In point of economy, it appears that ten cents per pound from the Umatilla or Walla-Walla to Salt Lake City would be considered a high price, and in a short time it could be done much cheaper. From New York to Walla-Walla the freight on supplies is not quite five cents per pound. Entire freight from New York to Salt Lake would then be fifteen cents, and probably much less. Compare these prices with the heavy expenses the government has been compelled to incur

during the past year for the transportation of supplies from Fort Leavenworth to Utah, and a very large margin will be left in favor of the route under consideration.

The country to the west and north of the Salt lake is not so mountainous, nor does it present the difficulties for obstruction that belong to the country to the east of it. It is accessible at all seasons, and presents a military feature as regards the proposed route which will tend to modify the necessity for maintaining a large force in Utah, where all the elements of subsistence are wanting.

Let two strong garrisons be placed on this route ; concentrate a force of two or three thousand men in the department of Oregon ; let the Mormons understand that this force can be placed in their midst in six weeks time, at any season, and they will be very careful not to afford any occasion for its being done. The army in Utah can then be reduced to an efficient garrison.

I shall cause a complete and thorough exploration to be made of the country in question early in the spring, at the same time directing a good wagon route to be laid out in the direction of Salt Lake City to the limits of this department.

I respectfully recommend to the general-in-chief, and to the government, the earnest consideration of this subject, which contains such important results to the interests of the military service ; for I do not doubt that the physical features above enumerated will attract public attention to their advantages in favor of one of the great national highways which must sooner or later connect the Atlantic States with those of the Pacific.

I am, sir, very respectfully, your obedient servant,

WM. S. HARNEY,

Brigadier General, Commanding.

The ASSISTANT ADJUTANT GENERAL,
Headquarters of the Army, New York City.

10 a.

OFFICE OF ASSISTANT QUARTERMASTER,
Fort Vancouver, W. T., November 22, 1858.

CAPTAIN : I take the liberty to submit herewith communications which treat of routes that lead from this department, by the line of this river, to Utah, to the Great Salt Lake City. These communications were written by some of the most experienced, reliable, and best informed citizens in the country. Accompanying are also a map and table of camps and distances which will indicate the various routes that cross the "rim" between the valleys of Snake and Humboldt rivers, or the Salt lake, and the resources of the country as regards water and grass.

I have the honor to submit these for the perusal of the general commanding this department, to whom I have supposed they would not be without interest from the positions he has held, and may hereafter hold, in his official capacity towards Utah and its singular inhabitants.

When these letters were written it was thought by many that General Johnston would require aid in the way of troops and supplies *before* they could reach him either from the Missouri or New Mexico. I was satisfied *then*, from my own observation of the country, that he could obtain that assistance by the line of the Columbia river *at any season of the year* much quicker and equally as economical than from any other competent source. I know now that had events rendered it necessary to send aid to him at that time from this quarter, it could have been easily accomplished. There was *no time* during the winter of 1857 and 1858 that troops could not have gone from Walla-Walla to the Great Salt lake in the space of *six weeks*. There was another object in ascertaining the character and lengths of the routes. If the vast interior of our domain is to be occupied by our troops stationed at different points, the questions of "in what way and by what system can they be most *easily, surely, and economically supplied*," are worthy of the most profound consideration. I do not assert that the troops now in Utah can be supplied from this river at this time cheaper than from the Missouri, though I certainly think such is the fact; but I am sure that as the resources of this coast become developed and multiplied, all the troops between here and Green river can be supplied far more economically from this depot than from the present point of supply. Fort Walla-Walla, a post in this department three hundred and fifty miles inland, but to which I now forward its supplies *by water*, is as near to Great Salt Lake City as Fort Laramie, on the Platte.

The overland distance from Fort Leavenworth to the Great Salt Lake City is 1,250 miles over two separate chains of mountains. Many portions of the route, with few resources for large trains, can be passed over only in summer and early fall, while the distance through from Walla-Walla, many persons say, does not exceed 500 miles, certainly not to exceed what is set down in the table herewith accompanying, over the Blue mountains *simply*, and through a region well watered and grassed.

I presume that supplies can be landed here from New York city *via* Cape Horn for one cent per pound. I am now forwarding them to Fort Walla Walla for less than five cents per pound. A wagon train can go from Walla-Walla to Salt lake and back the same season, and pack trains can go over the route at any season. What it would cost per pound I cannot state, but should conjecture that contractors would undertake it at less than ten cents. When the Walla-Walla valley becomes settled it can then be done much less in my opinion. The distance from Walla-Walla to Great Salt Lake City by the way of Fort Hall, over a well-known and perfectly practicable wagon road, is only about 700 miles, and when the news reached us that General Johnston was ordered to send the 6th infantry to Walla-Walla, we *presumed* that that regiment would not take a *longer route* than this old well-known road, yet it appears it took the long difficult Carson river road to Benicia, a distance of 950 miles; and after its arrival at the latter place it will be 1,185 miles from Walla-Walla, where it was intended it should serve, and from which *it was not half so far* before commencing its march as now.

From and after next February, passengers and freight can be transported by steam vessels through to Old Fort Walla-Walla; and it is quite probable that the Columbia will be found navigable to Priest's Rapids, and the Snake branch further than known at present. These form important matters for consideration by the general commanding, and also deeply concern the quartermaster's department in the establishment of new posts further in the interior.

I am, very respectfully, your most obedient servant,

RUFUS INGALLS,

Captain, Acting Quartermaster General.

Captain ALFRED PLEASANTON,

2d Dragoons, U. S. A., Act. Asst. Adj. Gen., present.

10 b.

FORT DALLES, O. T., *December 27, 1857.*

CAPTAIN :

* * * * *

"In my opinion there are several routes to be found from Snake river, that is, from Fort Boisee to the waters of Humboldt."

1st. A little below Fort Boisee "up" Owyhee river, which is the nearest route to Salt lake "by the Grand Rond." I recollect very distinctly there is north of "Stony Point" a lake of large dimensions, say twenty miles in circumference, where a thieving tribe of Indians are encamped. They have fine horses, the finest I had seen amongst any Indian tribes, and horned cattle; distance from Stony Point about twenty miles on open plain, fine camping in the mountains in the spring, and but eight miles distant from Humboldt; besides that, I found some gold there, which nobody knows but me, and which led me to explore that country. I took the first road across the mountain ridge, leaving Humboldt on account of high water and scarcity of grass, in 1852, as near as I can possibly recollect. I have seen a little stream running north, which must have been the head of Owyhee river.

2d. Up a creek above the place called Fishing or Salmon falls, from which place, or in close proximity, the Indians get their salmon and bring them to Thousand Spring valley.

This little creek heads in the same range as the west branch of Humboldt and a little creek (Three Mile creek) of the Humboldt.

3d. Up to Thousand Spring valley, which I believe is the best, and I myself would prefer.

4th. Up Goose creek, which may prove very hilly.

5th. Down Deep creek, which creek we crossed eight miles from Hansel springs, emptying into a lake, distant from lake to the place where I burned the coal pit at Cedar springs twenty-five miles, and from where I brought the deserted teamster back.

6th. Up Raft river; after reflection, however, I pronounce this the

best, in point of feed and easy road, which can be found. The others are up Malad and Bear rivers. These routes all run parallel with each other, only twenty to fifty miles distant from each.

A true copy and correct map from Fort Dalles to Fort Boisee, (the mentioned route,) and which can be relied on, is in possession of Major Haller, who informed me of it nearly two years ago; he travelled it himself.

From this map (Major Haller's) there can be good and true copies made, which would give me better insight into the distances between Snake river and the headwaters of Humboldt or Thousand Spring valley.

Respectfully, &c.,

L. SCHOLL.

Captain R. INGALLS,
United States Army, Vancouver, W. T.

10 c.

CHAMPOEG, O. T., December 31, 1857.

DEAR SIR: I received yours of 29th instant, and hasten to answer your questions as you request. In case a column of troops should be sent from Oregon to Utah or Salt lake, the nearest and best route is by the way of Walla-Walla to that place by water from Walla-Walla over the Blue mountains; by the emigrant route to Fort Boisee, (300 miles;) up Snake river, by same trail, to Raft river; thence to Salt lake, about 320 miles, leaving Fort Hall about 70 or 80 miles north.

As to the best time for starting from Walla-Walla, very much depends upon the weather, or earliness of the season. The Blue mountains are often impassable until late in spring; so soon as they can be crossed you can proceed the balance of the way without any more danger of snow; a train can leave Walla-Walla early, travel on slowly, and, in fact, have good grazing to the foot of the Blue mountains, where it will be well to examine and look out for the best wagon road, as the old wagon track can be taken advantage of and shortened; don't start to go over the Blue mountains until you are sure you can go through without a stop to fix road. I have no hesitation in saying that the above is the best way to get supplies to Salt Lake, such as probably you wish to take, and certainly far the cheapest and quickest; a move of that kind will bring to a close and make a finale of this Indian war, now so much disturbing the officials of Oregon. I do hope a large column of troops will be sent on this route; it will be killing two birds with one pebble, and locating a road through a country that will be of vast importance to the citizens of the United States, and great convenience to the army.

There is one thing I would suggest, that is, to keep an eye out for the valley of Fort Hall; six miles above it is a first-rate place for a military post, just in the gap of the country leading to the north, or on to the head of the Missouri; it is the only fine grass in that

valley that is wanted, and should be saved from the Mormons' fire-brand for various reasons. I wish Colonel Johnston was there now with all his stock, as where he is on Green river, or even on Bear river, he must lose his stock or so impoverish it that it will be useless in the spring for service. I have wintered there also, passed through the country on snow-shoes, and know it is a bad country to winter in with poor animals, as the snow hangs on so late in the spring. I fear our little army will fare badly this winter out there, though it appears they have provisions enough, notwithstanding the loss they met with. You see I make the distance from Walla-Walla to Salt Lake 620 miles; by the way of Fort Hall it is called 750. From Walla-Walla to Fort Hall is about 500 miles, and Salt Lake City 196 further.

I do not think of anything more that would be of service to you, or of interest to you.

Wishing you a happy new year, I remain your most obedient and humble servant,

ROBERT NEWELL.

Captain INGALLS, U. S. A.

10 d.

DAYTON, O. T., *January 3, 1858.*

DEAR SIR: Your letter of the 29th ultimo, soliciting information upon the relative merits of routes from this coast to the Great Salt Lake City, when to be travelled by troops in early spring, has been received.

In answer, I have no hesitation in giving the preference to the route along the Columbia and Snake rivers, *via* the Dalles, Walla-Walla, Umatilla, Grand Ronde, Fort Boisee, Salmon falls, to the head of the Cannon or Rock creek, which is about one hundred miles below Fort Hall, there leaving the emigrant wagon road and crossing the Goose Creek hills to the waters of Raft river on Cusia creek, and following up the eastern fork to the Salt lake and Humboldt road.

The distance between the Oregon road on Rock creek and the Salt lake road cannot, I think, exceed sixty miles. It is then probably sixty or seventy miles to the crossing of Bear river, five miles above Salt lake, which is seventy-five miles from Salt Lake City. There is a route leading from Fort Hall to Salt lake which goes by way of Raft river, though I never travelled it. There is also a route from Soda springs to Humboldt called "Hoolgpath's cut-off," which passes through this district, *showing that there may be practicable routes in almost any direction.* The grazing is generally good between Snake river and Bear river as indicated. By taking this route you would leave Fort Hall about one hundred miles to the left.

From Fort Boisee to Salmon falls there are two or three routes, one following up the south side of Snake river, which is the shortest route, but which is less favorable on account of scarcity of grass; there are, however, several good camps.

The route crossing Snake river at Boisee and following some forty or

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fifty miles up Boisee river and recrossing Snake river at different points below and near Salmon falls, affords good camps. By starting as early as the month of April you would be likely to find a little snow in the Blue mountains, but not to entirely obstruct the passage; this, however, might be avoided by following south along the western base to the *Young Chief's trail*, which intersects the old route at Grand Ronde river, but this is only a horse trail, and would require a little labor to prepare it for wagon trains. If the trains were to be fitted out at the Dalles, by leaving the present road at Butter or at Willow creek, the distance would be no greater by the *Young Chief's trail* than by the present route. The importance of reducing to the shortest possible distance land carriage, when you must necessarily rely upon grazing for subsisting your animals, would go very far to justify an additional expense in transporting by water as far as Walla-Walla, so that you could have fresh teams to cross the Blue mountains; in fact, if the proper kind of boats could be constructed, and a sufficient number of experienced voyageurs or boatmen secured, by stationing parties at the portages and most difficult rapids, the supplies could be readily transported by water to Walla-Walla, thus shortening the distance of land carriage about one hundred and fifty miles.*

Enclosed you will find a table of distances from Walla-Walla to Salt lake, which, though I do not claim for it precision, approximates at least to correctness. The southern route which was travelled by Lieutenant Hawkins with the supply train for the rifle regiment, from Oregon City to Fort Hall in 1849, is, in my opinion, more than two hundred miles further than by Snake river; besides, it passes over a desert country having stretches of from twenty to sixty miles without water and grass suitable for camps, in addition to which, portions of the road are too marshy and soft to admit of the passage of wagon trains so early in the season.

The road which leaves this (Willamette) and follows the middle fork of the Willamette river to its source, striking the northern road at the crossing of Malheur river fifteen miles west of Fort Boisee, could not be travelled with teams earlier than the first of June on account of the frequent crossings of the river and the snow on the Cascade mountains.

The routes from California following the Humboldt river could not, I think, be travelled with loaded teams before the first of June, on account of snow on the Sierra Nevada mountains and the marshes along the valley or plain of Humboldt. The route from San Bernadino I am unacquainted with.

There are no streams on this Snake river route but what could be forded between Walla-Walla and Bear river, unless you decided to cross Snake river at Fort Boisee; but as a matter of precaution, to guard against possible contingencies it would be well to have a supply of canvas boats, such as were used by Colonel Buchanan during his campaign against the coast and Rogue River Indians in 1856. I believe this route to be as open and defensible as any one now known,

* All supplies now are transported by water to old Fort Walla-Walla.

and that it is equally short and can be travelled earlier with teams than any one north of the San Bernadino route.

You will observe that I have made the distance from Walla-Walla to the city five hundred and ninety-five miles. It is but proper to say that I have never travelled the entire route between the head of Rock creek and Salt Lake City on this route.

I am, sir, very respectfully, your obedient servant,

JOEL PALMER.

Captain R. INGALLS,
Quartermaster, Fort Vancouver.

10 e.

Table of camps and distances to the Great Salt Lake City, Utah Territory, from Fort Vancouver, Washington Territory, a depot on the Columbia river, 120 miles from the Pacific ocean, as follows:

Names of camping localities.	Intermediate distances.	Whole distance.
	Miles.	Miles.
From Fort Vancouver, Washington Territory, to—		
Fort Cascades.....	40	40
Fort Dalles, Oregon Territory.....	50	90
Proposed depot six miles below mouth of Umatilla, where the emigrant road touches the Columbia river, a very eligible site for a landing of the overland supplies; it is sixty miles from New Fort Walla-Walla and thirty from the old fort by course of the river; it is the nearest point to the Blue mountains on the road to Utah, and is below the Umatilla rapids; distance by the river from the Dalles.....	97	187
Agency on Umatilla.....	15	202
McCoy's ranch.....	23	225
Foot of Blue mountains.....	16	241
Grand Ronde river.....	30	271
Grand Ronde bottom.....	8	279
Bottom to south end of Ronde.....	7	286
Crossing of Powder river.....	15	301
Pine stumps.....	10	311
Burnt river, first thirteen miles no water.....	28	339
Down Burnt river.....	25	364
Birch creek.....	8	372
Malheur river.....	20	392
Fort Boise.....	15	407
Lewis's fork of Snake and up same to Salmon falls.....	125	532
Salmon creek.....	6	538
Rock creek above cañon.....	35	573
Through Goose Creek hills to Raft river, thence to the Salt lake and Humboldt road, where it crosses Raft or Rock streams....	60	633
Rock creek.....	10	643
Cedar Springs.....	20	663
Deep creek.....	21	684
Blue Spring.....	17½	701½
Crossing of Bear below the mouth of Malad river.....	25	726½
Great Salt Lake City.....	75	801½

RECAPITULATION.

From Fort Vancouver to Great Salt Lake City, nearest route 801½ miles.

Of this distance transportation is by water.....	Miles. 187
Do.....do.....by land.....	614½
Total.....	801½

RUFUS INGALLS,
Captain, Assistant Quartermaster.

QUARTERMASTER'S OFFICE,
Fort Vancouver, Washington Territory, November 20, 1858.

11. *General Harney to the Adjutant General.*

HEADQUARTERS DEPARTMENT OF OREGON,
Fort Vancouver, W. T., December 6, 1858.

COLONEL: I have the honor to enclose a charge and specification against first Lieutenant I. W. Sill, of the ordnance department, and have to request, under the modification of the 65th article of war, that a court-martial may be ordered for his trial.

I enclose a copy of my letter to Lieutenant Sill, and also a copy of his reply, upon which the charge is based.

Presuming ignorance and inexperience on the part of Lieutenant Sill, I authorized Lieutenant Colonel Morris, commanding Fort Vancouver, to say to him that no further notice would be taken of the matter if he would withdraw his letter. This he peremptorily declined to do, after Colonel Morris had pointed out to him his error.

An early action is desirable, and I trust a court will be ordered at your earliest convenience.

I am, colonel, very respectfully, your obedient servant,
WM. S. HARNEY,
Brigadier General, commanding.

Colonel S. COOPER,
Adjutant General, Washington City, D. C.

11 a.

HEADQUARTERS DEPARTMENT OF OREGON,
Fort Vancouver, W. T., December 2, 1858.

SIR: Your application for an office and fuel, under paragraph III of General Orders No. 3 from the War Department of March 24, 1858, has been submitted to the general commanding.

As the orders assigning you to duty in this department are specific in naming you to the duty of erecting an arsenal at Fort Vancouver, the general commanding does not think it would be becoming and proper to separate you from those duties sufficiently as to recognize you in the light of senior ordnance officer at the headquarters of this department, as contemplated in the paragraph of the order above quoted.

From your position as ordnance officer of the depot at Fort Vancouver you are entitled to an office and fuel, which you are authorized to obtain in the usual manner as the service requires at the other ordnance stations.

I am, sir, very respectfully, your obedient servant,
A. PLEASANTON,
Captain 2d Dragoons, A. Ass't Adj't General.

First Lieutenant J. W. SILL,
Ordnance Department, Fort Vancouver, W. T.

11 b.

VANCOUVER, DEPARTMENT W. T.,
 December 3, 1858.

CAPTAIN: I have the honor to acknowledge the receipt of your communication of yesterday. I am disposed to believe that the action of the general commanding in relation to the request preferred by me for an office was dictated by a proper regard for the public interest; but I cannot remain silent on reading that it is not considered "becoming and proper to separate you from those duties sufficiently to recognize you in the light of senior ordnance officer, &c., as contemplated in the paragraph of the order quoted." There surely can be no doubt that the *only* ordnance officer in this department must be the senior ordnance officer therein, and this independent of any special recognition by the department of Oregon. But I would respectfully inquire if General Orders No. 2, department of Oregon, dated October 27, 1858, does not sufficiently recognize me in the light of senior ordnance officer, &c., so far as to enable me to avail myself of the privilege conferred by the paragraph alluded to?

It was certainly never anticipated by me for a moment that in transmitting my application through the proper channel for authorization, as a *matter of form*, it would be detained and questioned as a *matter of right*. Still further was it from my mind that there was anything *unbecoming* or *improper* in requesting the fulfilment of so express a stipulation. Feeling sure that the department of Oregon can take nothing but pleasure in according to its staff officers the privileges to which they are entitled by regulations, and not being able to perceive how the paragraph quoted can be susceptible of but *one* meaning, and that no doubtful or uncertain one, I feel constrained to believe that there are special reasons, dictated of course by the public good, which have brought about the present decision.

An *explicit* statement of such reasons or a *full* exposition of the true and proper construction to be placed on the paragraph in question will not only relieve my own mind of much painful perplexity, but also serve as a valuable paper to be put on record, for the guidance of such of my successors as may fall into a similar misapprehension.

I do not deem it incumbent on me to point out the *urgent* reasons for providing an office in the present case, nor to demonstrate that in no military department is a senior ordnance officer more properly entitled to the privilege referred to than in the department of Oregon. As regards the authorization granted in the last paragraph of your letter, it is unhappily nullified by the proviso attached, and you may be certain that all such rights as I am entitled to, in virtue of commanding Vancouver department, I have not been slow to discover and avail myself of. But this, with all due deference, I regard as irrelevant to the question in hand, which rests on grounds wholly different.

There is a principle contained herein which in no wise depends on the importance, great or small, of the object involved—a principle which I can by no means consent to waive.

Sooner than remain content with my anomalous relation to the de-

partment of Oregon, as defined in your letter, or submit to what appears to me in the light of indignity and humiliation, self-respect demands that I should at once make application to the chief of ordnance to be relieved from the specific duty devolving on me at this place.

I am, sir, very respectfully, your obedient servant,
 J. W. SILL,
1st Lieutenant of Ordnance.
 Captain A. PLEASANTON,
2d Dragoons, Acting Assistant Adjutant General,
Department of Oregon.

11 c.

Charge and specification preferred against First Lieutenant Joshua W. Sill, Ordnance department, by Brigadier General W. S. Harney, commanding department of Oregon.

Charge.—Contempt and disrespect to his superior officer.

Specification.—In this : that he, First Lieutenant Joshua W. Sill, Ordnance department, having been informed by his commanding officer, Brigadier General W. S. Harney, United States army, commanding the department of Oregon, that the provisions of paragraph 3 of General Orders No. 3 from the War Department, of March 24, 1858, were not applicable to him, did reply in a communication disrespectful and contemptuous ; accusing his commanding officer of attempting to place on him, the said Sill, an indignity, and stating that his self-respect demanded that he should appeal to the chief of ordnance for redress.

This at Fort Vancouver, Washington Territory, on the 3d day of December, 1858.

W. S. HARNEY,
Brigadier General, Commanding.

Witnesses :

Brigadier General W. S. HARNEY.
 Captain A. PLEASANTON.

12. *General Harney to the Adjutant General.*

HEADQUARTERS DEPARTMENT OF OREGON,
Fort Vancouver, W. T., December 8, 1858.

COLONEL : I have the honor to acknowledge the receipt of your communication of the 3d ultimo, and, in reply, desire to inform the Secretary of War that First Lieutenant John Mullan, jr., 2d artillery,

left this command before my arrival, and it is presumed he has repaired to Washington.

I am, colonel, very respectfully, your obedient servant,
W. S. HARNEY,
Brigadier General, Commanding.

Colonel S. COOPER,
Adjutant General, Washington City, D. C.

13. *General Harney to General Scott.*

HEADQUARTERS DEPARTMENT OF OREGON,
Fort Vancouver, W. T., January 20, 1859.

SIR: In my communication of November 5, 1858, I recommended the establishment of a military post in the vicinity of Colville, for the purpose of restraining the Indians who were so lately hostile in this department.

In the event of this suggestion being approved by the War Department, I would further state that a military position at Colville will dispense with the necessity of a command at Fort Simcoe, as the Indians now held in check by Simcoe are more easily reached from Colville, and the difficulties to be overcome in reaching the two points are not comparable.

From its peculiar position, Fort Simcoe is cut off in the winter from communication with these headquarters, except at great risk, whilst Colville is accessible all the year round. Supplies can be furnished Colville at nearly the same rates as Simcoe.

It would be well, therefore, to throw the garrison at Simcoe to Colville, strengthen it by a company from Walla-Walla, and to turn the buildings over to the Indian department for an agency.

I am, sir, very respectfully, your obedient servant,
W. S. HARNEY,
Brigadier General, Commanding.

Lieutenant Colonel L. THOMAS,
*Assistant Adjutant General, Headquarters
of the Army, New York city.*

14. *The Adjutant General to General Harney.*

ADJUTANT GENERAL'S OFFICE,
Washington, February 2, 1859.

SIR: I have the honor to enclose a copy of a communication addressed to the President of the United States by Bishop Blanchet, of Nesqueally, under date of September 29, 1858, in which he complains of the encroachment by the military on the grounds of the Catholic mission at Vancouver, &c.

The Secretary of War directs that you cause the complaint of Bishop

Blanchet to be investigated, and a report thereon to be made for the information of the War Department and the President.

I am, sir, very respectfully, your obedient servant,
S. COOPER,
Adjutant General.

Brig. General W. S. HARNEY,
*Commanding Department of Oregon,
Fort Vancouver, W. T.*

15. *General Harney to General Scott.*

HEADQUARTERS DEPARTMENT OF OREGON,
Fort Vancouver, W. T., February 7, 1859.

SIR: Since my communication of the 20th ultimo, recommending the establishment of a post in the vicinity of Colville, and the abandonment of Fort Simcoe, I have received from the commissioner of the northwest boundary a request for an increased escort when their labors are to be prosecuted east of the Cascade range of mountains, on the 49th parallel of latitude.

The service which the commission is called upon to perform exposes them to the hostilities of large bands of Indians in our own as well as the British territory, and will require for its protection, at so great a distance from our resources, at least three companies. This demand, therefore, determines me to establish the post near Colville, in which vicinity the commission will winter the next season, and from which garrison escorts can be furnished to the different parties as they are needed; besides, the presence of four companies in that country will go far to impress all the tribes of our determination to chastise them when it is necessary.

I am, sir, very respectfully, your obedient servant,
W. S. HARNEY,
Brigadier General, Commanding.

ASSISTANT ADJUTANT GENERAL,
Headquarters of the Army, New York City.

16. *General Harney to General Scott.*

HEADQUARTERS DEPARTMENT OF OREGON,
Fort Vancouver, W. T., February 7, 1859.

SIR: I am compelled to call the attention of the general-in-chief to the recommendations contained in my communication of the 22d of November, 1858, viz: That the troops in this department should be supplied from depots established at this point, with proper officers to superintend and be responsible for the faithful performance of the duties necessary to their respective requirements.

Through the most culpable neglect, beyond my power of investigation, the troops of this command have been deprived of the proper clothing for months; and the men are suffering at many posts for want of overalls, drawers, stockings, shirts, and shoes. Requisition upon requisition has been sent to the depots at San Francisco without effect; and as I have no authority to institute any inquiry to elicit the facts concerning this strange state of things, I respectfully and earnestly request that orders may be given at an early date, requiring the supplies for this command to be sent to this point to be subject to the action of officers under my exclusive control.

Besides the increased expense and great delay arising from the present arrangement, the staff officers in the department of California are subject to the orders of two different commanders, which tends to weaken the authority of both; at the same time the staff officers themselves are liable to imputations, out of their power to avoid, and which are due solely to their positions.

I am, sir, very respectfully, your obedient servant,

WM. S. HARNEY,
Brigadier General, Commanding.

The ASSISTANT ADJUTANT GENERAL,
Headquarters of the Army, New York City.

17. *The Adjutant General to General Harney.*

ADJUTANT GENERAL'S OFFICE,
Washington, February 19, 1859.

GENERAL: Referring to the orders given by you to Captain A. J. Smith, 1st dragoons, and Brevet Second Lieutenant C. E. Jesup, 10th infantry, directing them to report in person at the War Department, I am instructed by the Secretary of War to say that it is his wish that orders of this nature may not in future be issued by you without his sanction.

I am, sir, very respectfully, your obedient servant,

S. COOPER,
Adjutant General.

Brig. Gen. W. S. HARNEY,
*Commanding Department of Oregon,
Fort Vancouver, W. T.*

18. *The Adjutant General to General Harney.*

ADJUTANT GENERAL'S OFFICE,
Washington, February 23, 1859.

GENERAL: Your letter of the 5th of November last to the assistant adjutant general at the headquarters of the army has been forwarded to this office, and laid before the Secretary of War; and in regard to

so much thereof as relates to the establishment of military stations in the vicinity of Fort Boisee, on Snake river, and in the neighborhood of Colville, the Secretary directs me to inform you that it is his desire that no new posts be established for the present within the limits of your department which will involve expense to the government.

I have the honor to be, general, very respectfully, your obedient servant,

S. COOPER,
Adjutant General.

Brigadier General W. S. HARNEY,
Commanding Department of Oregon, Fort Vancouver, W. T.
Via overland mail.

19. *General Harney to Mr. Campbell.*

HEADQUARTERS DEPARTMENT OF OREGON,
Fort Vancouver, W. T., February 24, 1859.

SIR: I have the honor to acknowledge the receipt of your communication of the 21st instant, enclosing the instructions of the War Department in relation to the escort, supplies, etc., to be furnished the northwest boundary commission, and referring to your application for an additional escort after the commission shall pass to the east of the Cascade mountains.

Unless otherwise directed by the War Department, I propose to establish a sufficient force in the vicinity of Colville, which is near the forty-ninth parallel, and east of the Cascade range, as will be able to furnish, at all times, an escort of two good companies to the commission, while prosecuting its work between the Cascade and Rocky mountains.

This escort will be instructed to meet the commission, agreeably to your request, in the valley of Okinakane by the first of June.

The necessary instructions will be given to the different staff departments in relation to the supplies and stores to be furnished to the commission.

The present escort of the commission will not be required to pass to the east of the Cascades.

I am, sir, very respectfully, your obedient servant,

W. S. HARNEY,
Brigadier General, Commanding.

ARCHIBALD CAMPBELL, Esq.,
Commissioner NW. Boundary Survey,
Fort Vancouver, W. T.

20. *General Harney to the Adjutant General.*

HEADQUARTERS DEPARTMENT OF OREGON,
Fort Vancouver, W. T., March 1, 1859.

COLONEL: I have the honor to enclose charges and specifications against First Lieutenant Hugh B. Fleming, 9th infantry, for the consideration of the War Department, and with the request that a court-martial may be ordered at an early date to investigate the matter.

A great deal of bitter feeling seems to exist among the officers at Fort Walla-Walla, arising apparently from events of the past year in which they were concerned.

Such a state of things is unfortunate at any time, but when it is permitted to extend beyond the bounds of discipline and respect it is ruinous to the service, unless promptly checked.

I have, therefore, deemed it an important duty to show my decided disapprobation of the course pursued by the general court-martial which convened at Fort Walla-Walla for the trial of Lieutenant Fleming, on charges preferred by his commanding officer, Brevet Major Grier, of the 1st dragoons.

I am, colonel, very respectfully, your obedient servant,
WM. S. HARNEY,
Brigadier General, Commanding.

Colonel S. COOPER,
Adjutant General, Washington City, D. C.

21. *General Harney to General Scott.*

HEADQUARTERS DEPARTMENT OF OREGON,
Fort Vancouver, W. T., March 7, 1859.

SIR: I have the honor to enclose a copy of the report of Second Lieutenant Robert Scott, of the 4th infantry, on the subject of a reconnaissance made by him in the Straits of Fuca to ascertain the disposition and intention of the northern Indians relative to an apprehended invasion of our coast on Puget's Sound.

The report is satisfactory in showing, by the statements of Governor Douglas and Mr. Dodd, that no cause exists at this time for supposing the Indians of Vancouver's island, or those to the north of us in the British possessions, entertain any hostile intentions towards our people on the sound.

The information furnished by Mr. Dodd, of the Hudson's Bay Company, of the number of disposable fighting men of the different tribes in the British possessions to the north of Puget's Sound, is the most authentic that has yet been received, and is valuable as furnishing the data upon which to base the defence of the sound from the attacks of their marauding parties.

H. Ex. Doc. 65—8

The courtesy and kindness with which Governor Douglas received Lieutenant Scott, and the consideration evinced in his intention to give us timely warning of any hostility on the part of the northern Indians, indicates a good feeling towards our people of the highest commendation.

It affords me the greatest pleasure to mention this gratifying conduct of Governor Douglas; for, besides serving to cement the friendship existing between his people and ours, it will simplify the solution of our Indian difficulties in that quarter.

I am, sir, very respectfully, your obedient servant,
W. S. HARNEY,
Brigadier General, Commanding.

ASSISTANT ADJUTANT GENERAL,
Headquarters of the Army, New York City.

21 a.

FORT TOWNSEND, W. T.,
February 15, 1859.

SIR: I have the honor to report that, pursuant to your letter of instructions dated February 6, 1859, I embarked with my detachment on board the United States revenue cutter "Jefferson Davis" on the morning of the 6th; sailed the next morning; arrived there in the evening; called on Governor Douglas the next day; presented your letter to him, and also my letter of instructions.

The governor stated that he had no reason to suspect that any of the northern Indians entertained any hostile intentions toward our people, and if at any time he should have reason to suspect such intention, he would consider it his duty to give us timely warning; but he advised constant vigilance on our part, and recommended that we should not encourage them to come into our waters, but should warn them away. Should these Indians meditate mischief, they would be most likely to make their attacks just before their return to their villages; that he has ordered the Indians now in or about Victoria to return to their homes and there to remain, and that he would take the necessary steps to prevent them from doing injury to any of our people on the way; that the Indians now on Vancouver's island had been there all of the winter, and were in a miserable, half-starved condition, and not in a fit condition to make war.

The governor referred me to Mr. Dodd, of the Hudson's Bay Company, for information relative to the numbers of the northern tribes and their localities. I called on Captain Dodd, and in our conversation he stated that he did not apprehend any danger to our people from these Indians; that from his long intercourse with them he would be as likely to know their disposition and intentions towards us as any one else; that should he ever have reason to suspect that they meditated any attack upon us he would at once warn us of our danger; that it was a party of the Kakes who had murdered Colonel Ebey;

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that his scalp was now in one of their villages, and that he had tried to induce them to give it up, but has hitherto been unsuccessful. Mr. Dodd furnished me with a memorandum of the *disposable* number of fighting men in the various tribes with which he is acquainted, of which the following is a copy :

Kakes, fifty warriors ; Stikines, one hundred and fifty warriors ; Fort Simpson Indians, three hundred warriors ; Milbanks, sixty warriors ; Labassa, thirty warriors ; Oldnass, forty warriors ; Fort Rupert Indians, one hundred warriors ; Tongass, forty warriors ; Hydaks, two hundred warriors. Total, nine hundred and seventy warriors, all of whom are on the main land, except the Hydaks, who live on Queen Charlotte's island.

I was informed that there were about fifteen hundred Indians on Vancouver's island.

From all that I could learn, I am of the opinion that the only northern Indians who have been in our waters for some months past have been small parties who were hunting among the islands.

The above is all of the reliable information which I could obtain.

I left Victoria on the morning of the 11th, and reached this post on the afternoon of the 13th instant.

Very respectfully, your obedient servant,

ROBERT N. SCOTT,

Second Lieutenant 4th Infantry.

Brevet Major G. O. HALLER, U. S. A.,
Commanding Fort Townsend, W. T.

22. *The Adjutant General to General Harney.*

ADJUTANT GENERAL'S OFFICE,
Washington, March 18, 1859.

GENERAL : Your letter of the 7th ultimo to the assistant adjutant general, at the headquarters of the army, respecting the establishment of a military station near Colville, has been forwarded to this office and laid before the Secretary of War, who directs me to say, in reply, that it is deemed expedient to adhere to the instructions conveyed to you in my communication of February 23, 1859, touching the location of new posts within the limits of the department of Oregon.

I have the honor to be, general,

Very respectfully, your obedient servant,

S. COOPER,

Adjutant General.

Brig. Gen. W. S. HARNEY, U. S. A.,
Comd'g Department of Oregon, Fort Vancouver, W. T.

23. *General Harney to the Adjutant General.*

HEADQUARTERS DEPARTMENT OF OREGON,
Fort Vancouver, W. T., March 19, 1859.

COLONEL: I have the honor to enclose, for the consideration and decision of the War Department, the subject of difficulty between the Pay and Quartermaster departments, as set forth in the enclosed communication of Major B. Alvord, paymaster, and accompanying papers.

Until the decision of the department is made known, I shall direct the quartermaster's department at San Francisco to furnish the transportation for the funds of the pay department required by this command, as heretofore.

I am, colonel, very respectfully, your obedient servant,
WM. S. HARNEY,
Brigadier General, Commanding.

Colonel S. COOPER,
Adjutant General, Washington City.

23 a.

FORT VANCOUVER, W. T.,
March 18, 1859.

CAPTAIN: Herewith I enclose to you a copy of a letter, dated the 8th December, from the quartermaster general to Colonel T. Swords, deputy quartermaster general at San Francisco, and also a copy of a letter to me from the office of Brevet Major Robert Allen, assistant quartermaster, dated the 4th instant.

You will perceive that Colonel Swords, under his interpretation of these instructions, first directs "Major R. Allen to transport no more funds of the pay department," and the practice of the office becomes that no more funds "will be forwarded by Major Allen, unless specially sanctioned in each and every case by General Clarke."

It is not economical or best for the public service that every time I need funds I must go to San Francisco to get them. If the quartermaster general implies that his department is never to transport funds, except when the paymaster accompanies them, I do not see what warrant of law or regulation there is for the idea.

In the annual appropriation bill (see General Orders No. 7, of June 24, 1858, from A. G. O.) there is a paragraph for "the transportation of funds of the pay and other disbursing departments of the army." There is another and distinct paragraph providing for the "transportation of officers" travelling on public service. We cannot say how the quartermaster's department shall have the funds transported, whether by express, by special agent, or by the steamer. We cannot say how the freight shall be estimated, whether by a percentage on the number of dollars, or by bulk or weight; but in no sense can

such percentage or freight be regarded as a discount, as General Jesup implies. But the customary care given to such transactions would be expected, and that the specie should not be treated as "ordinary freight, such as iron, nails, clothing," &c.

It will often happen that the pay department will need funds transported at times and places when the authority of the general commanding cannot easily be obtained in each case. I consider it onerous and impracticable that such an order shall be obtained in each particular case. The certificate of the paymaster that the service was necessary in the discharge of his duties should be sufficient. For several years my funds have been forwarded to me from San Francisco by Brevet Major Allen, assistant quartermaster, in the most prompt and satisfactory manner.

I ask for no change of the long-established regulations and customs in this business. I only request the rescinding of the instructions given by Colonel Swords, that the assistant quartermaster in San Francisco "shall transport no more funds of the pay department. I doubt whether in this he gave a correct interpretation to the instructions of General Jesup of the 8th December; but if he did, those instructions should be rescinded.

I have written by this mail to the Paymaster General on this subject, and I will respectfully request that a decision may be obtained from the War Department for the government of all concerned, which will protect the public interest and secure the execution of the law above quoted.

I have the honor to be, very respectfully, your obedient servant,
BENJAMIN ALVORD,
Paymaster United States Army.

Captain A. PLEASANTON,
Acting Assistant Adjutant General, Headquarters
Department of Oregon, Fort Vancouver, W. T.

23 b.

ASSISTANT QUARTERMASTER'S OFFICE,
San Francisco, March 4, 1859.

* * * * *
MAJOR: I enclose a copy of a letter from General Jesup, on the subject of transporting paymaster's funds. Under the instructions therein contained, Colonel Swords has ordered us to transport no more funds for the pay department, and in the last two cases Colonel Coffee was obliged to get a special order from General Clarke for the immediate service.

The question is still open, and Colonel Swords will not approve of any funds being forwarded by Major Allen unless specially sanctioned in each and every case by the general.

Very respectfully, your obedient servant,

R. L. OGDEN,
Clerk, in absence of Br. Major R. Allen, A. Q. M.
Major B. ALVORD,
Paymaster U. S. A., Fort Vancouver.

23 c.

[Extract.]

QUARTERMASTER GENERAL'S OFFICE,
Washington City, December 8, 1858.

COLONEL: *

I do not exactly understand the question submitted in your letter of the 29th of October in regard to paymasters. If they require transportation for themselves and their funds, you are bound to furnish the transportation; but the paymasters and their sureties are responsible to the treasury for the safety of the funds. And you are not to pay them mileage when they go in the same vessel or other conveyance with the funds, nor is any receipt to be given when funds are to be transported, except for packages, and then only the ordinary freight is to be paid, such as you would be required to pay at the same time on iron, nails, clothing, or other public property. Steamers, I understand, charge a percentage for transporting gold or silver. Where that is exacted you will pay it on the funds of the quartermaster's department, but every other branch of the service must pay its own percentage.

I am, colonel, most respectfully, your obedient servant,
 THOMAS S. JESUP,
Quartermaster General.

Lt. Col. THOMAS SWORDS,
Deputy Quartermaster General, San Francisco, Cal.

24. *The Adjutant General to General Harney.*

ADJUTANT GENERAL'S OFFICE,
Washington, March 19, 1859.

GENERAL: I have the honor herewith to transmit an extract from the instructions of the War Department, under date of March 15, 1859, to First Lieutenant John Mullan, jun'r, second artillery, charging that officer with the construction of the military road from Fort Walla-Walla to Fort Benton, authorized at the recent session of Congress.

The Secretary of War directs that you give such orders as may be necessary to provide the escort and supplies designated for Lieutenant Mullan's operations.

I am, general, very respectfully, your obedient servant,
 S. COOPER,
Adjutant General.

Brig. Gen. W. S. HARNEY,
Commanding Department of Oregon, Fort Vancouver, W. T.

25. *The Adjutant General to General Harney.*

ADJUTANT GENERAL'S OFFICE,
Washington, March 30, 1859.

GENERAL: Your letter of November 29, 1858, to the assistant adjutant general at the headquarters of the army, enclosing a report from Captain Ingalls, assistant quartermaster, in regard to supplying the department of Utah *via* Fort Vancouver, and presenting your own views upon the subject, has been forwarded to this office, and laid before the Secretary of War, who has returned it with the following indorsement:

"WAR DEPARTMENT, March 26, 1859.

"I have examined with care the letter of Brigadier General Harney and accompanying papers, upon the establishment of depots and large garrisons in Oregon or Washington Territory, for the purpose of supplying the troops in Utah and controlling the Mormons.

"The conclusion that, from these garrisons and depots, troops and supplies can be, at any season of the year, thrown into the Mormon settlements at Great Salt Lake in six weeks time, does not appear to me to rest upon information of such exact and positive character as to justify the department in basing military operations upon it, particularly as the information heretofore collected by the department respecting the routes between the Columbia river and Great Salt Lake leads to the opposite conclusion.

"The occasional movement of pack-trains during winter to trading posts in the interior of that region cannot be considered as conclusive evidence that army wagon trains can move during that season with certainty and regularity from the Columbia river to Great Salt Lake.

"The reports of Captain Frémont to Major Cross and others represent the road between the summit of the Blue mountains and the Snake river as exceedingly difficult and bad for wagons, and the road along the south side of the Snake, as far as the valley of that river is followed, is not only difficult, but almost entirely destitute of grass and water, although the route along the north side is represented to be better in the latter respect.

"No facts touching the actual passage of the Blue mountains in winter by wagons, or the practicability of thus crossing them, are given in Captain Ingall's report or accompanying letters; on the contrary, it must be inferred from those letters that the Blue mountains are often impassable until late in spring. Nor is evidence presented that a supply train or large bodies of troops can cross from the Snake river to the Great Basin near Salt Lake in winter. The facts upon which Captain Ingall's grounds his opinion or statement that these two portions of the route are practicable at all seasons should have been stated.

"Although I cannot concur with General Harney in all his conclusions, yet I am impressed with the importance of the subject he has presented, and trust that the examination he has directed to be made

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"The Adjutant General will communicate this indorsement to Brigadier General Harney.

"J. B. FLOYD.
"Secretary of War."

I have the honor to be, general, very respectfully, your obedient servant,

S. COOPER,
Adjutant General.

Brig. Gen. W. S. HARNEY,
U. S. Army, Comd'g Dept. of Oregon, Fort Vancouver, W. T.

26. *The Adjutant General to General Harney.*

ADJUTANT GENERAL'S OFFICE,
Washington, April 2, 1859.

GENERAL: The Secretary of War directs that all expenditures on account of the erection of quarters and barracks at Fort Dalles, Oregon, be suspended until further orders.

I have the honor to be, general, very respectfully, your obedient servant,

S. COOPER,
Adjutant General.

Brig. Gen. W. S. HARNEY,
U. S. A., Comd'g Dept. of Oregon, Fort Vancouver, W. T.

27. *General Harney to the Adjutant General.*

HEADQUARTERS DEPARTMENT OF OREGON,
Fort Vancouver, W. T., April 5, 1859.

COLONEL: I have the honor to transmit the proceedings of a board of officers which assembled at Fort Cascades, to determine the validity and assess the claim of Mr. Johnson to the site of Fort Cascades.

I approve of the report of the board, and recommend that the military reservation at that point be restricted to the half section of Johnson's claim, as indicated by the board.

I am, colonel, very respectfully, your obedient servant,

WM. S. HARNEY,
Brigadier General, Commanding.

Colonel S. COOPER,
Adjutant General, Washington City, D. C.

28. *General Harney to General Scott.*

HEADQUARTERS DEPARTMENT OF OREGON,
Fort Vancouver, W. T., April 6, 1859.

SIR: I have the honor to enclose a copy of a communication from "Spokan Gary," one of the principal chiefs of the Spokan Indians, in which he states his people are desirous to be placed upon a reservation where they will neither disturb nor be disturbed by the whites.

In justice to these Indians this step should be adopted by our government; they already cultivate the soil in part for subsistence, and unless protected in their right to do so, they will be forced into a miserable warfare until they are exterminated.

I have received repeated assurances during the past winter from these and other Indians of this department of their earnest and sincere desires to maintain peace with the whites, and be content with whatever measures the government may effect in relation to their country.

I am, sir, very respectfully, your obedient servant,
W. S. HARNEY,
Brigadier General, Commanding.

ASSISTANT ADJUTANT GENERAL,
Headquarters of the Army, New York City.

WALLA-WALLA, *W. T., March 28, 1859.*

SIR: My people are desirous of having peace with the whites. Their wish is to have an Indian agent and soldiers to live in their country to protect them. All the chiefs and all the people are ready and willing to make a treaty with the government for the sale of their lands. They are perfectly satisfied with having roads made through their country.

For myself, if a "treaty" is made with us for our lands, I wish our reservation to be located where we will not be interrupted by the whites, nor our people have a chance to interrupt the whites. We have so many dishonest men who would steal from the whites, if they were near them, that it would occasion us much trouble.

My horses have given out, and it is so late in the spring I will have to return home to attend to my crops, or I would go and see you. If you should visit here this spring the Indian agent will send me word, and I will come down and see you.

I have the honor to be, very respectfully, your most obedient servant,

SPOKAN ^{his} + GARY,
_{mark.}

Witness, A. J. CAIN,
Indian Agent, Washington Territory.

Brig. Gen. W. S. HARNEY,
*Commanding Department of Oregon and Washington,
Fort Vancouver, W. T.*

29. General Harney to General Scott.

HEADQUARTERS DEPARTMENT OF OREGON,
Fort Vancouver, W. T., April 16, 1859.

SIR: I have the honor to enclose, for the consideration and decision of the General-in-chief, an application for a court of inquiry, made by Brevet Major F. O. Wyse, captain 3d artillery, to examine into certain allegations offered against him in a communication of Captain R. Ingalls, assistant quartermaster, a copy of which is enclosed, marked "G," with the accompanying papers. Also a second letter from Captain Ingalls to these headquarters, marked "H," enclosing copies of extracts of letters from Mr. Lucius H. Allen, formerly an officer of the 2d artillery, and Lieutenant Colonel Swords, deputy quartermaster general.

These charges against Major Wyse are of the gravest character and should be investigated. To prove the honesty of the transaction it will be necessary to confront Mr. Rankin with the original voucher, now in the Treasury Department; for there are other facts bearing on the question besides that of the signature, and Mr. Rankin is the important witness as to them. But it is doubtful whether Mr. Rankin, being a citizen, will appear; he cannot be compelled to do so; and the merits of the case, so far as they rest with him, have made me reluctant to order a court of inquiry which could not result to the advantage of the service.

I would respectfully recommend that Major Wyse be brought before a general court-martial, under the 39th article of war, for misapplying the public funds sent to him to pay the outstanding debts at his post, as per list of Lieutenant Ransom, by using it in the purchase of this barley on his own authority in San Francisco, and thus depriving other persons who had just claims of the money intrusted to his care to pay them.

I have already directed nine hundred and seventy dollars of these debts to be paid, having been satisfied of their correctness in each case, the parties having been kept out of their money by the conduct of Major Wyse over a year, and in one instance twenty months.

In consequence of the absence of a number of officers of rank from this department, a general court-martial for the trial of Major Wyse cannot be convened at this time without manifest injury to the service. I would therefore advise, should a court be ordered, that some of the members of the detail be taken from the department of California.

I am, sir, very respectfully, your obedient servant,

WILLIAM S. HARNEY,
Brigadier General, Commanding.

ASSISTANT ADJUTANT GENERAL,
Headquarters of the Army, New York City.

29 a.

PORTLAND, January 31, 1859.

DEAR SIR: As agent for the Union Transportation Line, I am in possession of a United States voucher, for services rendered by the said line, for the sum of one hundred and sixty-two dollars, certified to by Major Wyse.

The services were rendered while the major was in command at Fort Cascades, and for the quartermaster's department there at that time.

I desire to know how to proceed to receive payment for this voucher. I herewith enclose the voucher to you, and any information you can give me in reference to its collection will be thankfully received by

Yours, respectfully,

J. L. RUCKELL,

Agent Union Transportation Line.

Captain R. INGALLS,

Assistant Quartermaster, Fort Vancouver, W. T.

29 a.

(Enclosure.)

The United States to the Union Transportation Line, Dr.

1857. For the following transportation between September 1 and December 31, 1857:

From Portland to Cascades—

2½ tons freight, at \$8.....	\$22 00
6,000 feet lumber, at \$16.....	96 00
Four privates, Vancouver to Cascades and back.....	20 00
Oak Point to Portland 3,000 feet lumber, \$8	24 00
	161 00

I certify that the above is correct, and that the transportation has been performed by the Union Transportation Line, as specified, and was necessary for public service.

F. O. WYSE,

C. and B. Maj. 3d Artillery, Act. Asst. Quartermaster.

Received, Fort Vancouver, W. T., April 20, 1859, of Captain Rufus Ingalls, assistant quartermaster United States army, one hundred and sixty-two dollars, in full of the above account.

J. S. RUCKELL,

Agent Union Transportation Line.

29 b.

OFFICE ASSISTANT QUARTERMASTER, DEPARTMENT OF OREGON,
Fort Vancouver, W. T., March 9, 1859.

CAPTAIN: I very respectfully refer the enclosed certified voucher to the general commanding this department in the same manner and for the same object I referred the Ruckell voucher on the 3d ultimo—for his consideration and action.

Major Wyse was furnished with a list of the outstanding debts at his post when he assumed the duties of acting assistant quartermaster; a copy of that list is herewith accompanying. During the months of October and November following I transferred \$4,000 to Major Wyse, on the order of Lieutenant Colonel Swords, deputy quartermaster general, to enable him to pay off this indebtedness; most, if not all, of which, however, he left unpaid on his departure for San Diego, California, in January, 1858.

I believe these accounts are correct, and know that the claimants need their pay very much, but, under the circumstances, I have not felt authorized to pay them, except upon instructions to that effect from superior authority.

What application Major Wyse made of the \$4,000 which I transferred to him I cannot state, except \$1,500 of the sum. With this sum he bought 50,000 pounds of barley of his brother, N. H. Wyse, very unnecessarily, and at a high rate; for at that time there was a great plenty of public forage at the Cascades.

The oats and barley had cost but a fraction over two cents per pound delivered there, while he paid three cents. But the voucher for this barley purports to have been signed by one Ira P. Rankin on the 30th December, 1857. At that date the barley was not received at the Cascades, and Mr. Ira P. Rankin states that he never signed the voucher, nor did he ever authorize any one to sign his name for him. Herewith please find a copy of this voucher.

I am, very respectfully, your most obedient servant,
RUFUS INGALLS,
Captain and Acting Quartermaster.

Captain ALFRED PLEASANTON,
Second U. S. Dragoons, Acting Asst. Adjt. General.

29 b.

[Enclosure 1.]

The United States to Robert Germain, Dr.

September 30, 1857.—For services as carpenter, erecting public buildings at Fort Cascades, Washington Territory, from the 1st of February, 1857, to the 30th of September, 1857, 202 days, at \$4 per day \$808 00

I certify that the above account is correct and just, that the services were rendered as stated, and that they were necessary for the public service.

D. R. RANSOM,

First Lieutenant 3d Artillery, Acting A. Q. M.

Received at _____, the _____ day of _____, 185—, of _____, quartermaster United States army, the sum of eight hundred and eight dollars and _____ cents, in full of the above account.

29 b.

[Enclosure 2.]

List of outstanding debts due and unpaid by the quartermaster's department for purchases made and services rendered at Fort Cascades, Washington Territory, on the 30th of September, 1857.

INCIDENTAL EXPENSES.

Extra pay to soldiers employed as mechanics, teamsters, laborers, &c.....	\$660 70
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TRANSPORTATION OF SUPPLIES.

Bradford & Co.—Transportation of quartermaster's stores from the lower to the upper Cascades, Washington Territory	166 00
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BARRACKS AND QUARTERS.

Lumber.....	130 55
Lime, &c.....	62 00
Horse buckets, &c.....	25 00
Hire of mechanics, erecting quarters for officers and troops.	2,728 00
Total indebtedness	3,772 25

I certify, on honor, that the above is a correct list of all the outstanding debts due by the quartermaster's department at this post incurred by me, or of which I have any knowledge of having been incurred by my predecessor.

D. R. RANSOM,

First Lieutenant 3d Artillery, A. A. Q. M.

OF OREGON,
March 9, 1859.
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29 b.

[Enclosure 3.]

The United States to Ira P. Rankin, Dr.

December 30, 1857.—For 50,000 pounds of barley, at 3 cents
per pound..... \$1,500

I certify that the above account is correct and just, and that the article is to be accounted for on my property return for the quarter ending December 31, 1857.

F. O. WYSE,
Colonel and Brevet Major 3d Artillery.

Received, Fort Cascades, Washington Territory, December 30, 1857, of Brevet Major F. O. Wyse, acting assistant quartermaster, United States army, one thousand five hundred dollars and — cents, in full of the above account.
(Duplicate.)

IRA P. RANKIN.

29 c.

HEADQUARTERS DEPARTMENT OF OREGON,
Fort Vancouver, W. T., March 10, 1859.

MAJOR: The general commanding instructs me to enclose the within communication from Captain Ingalls, assistant quartermaster, for your information, and at the same time to state so serious a charge had best be met at once by a proper investigation.

Upon your request, I am instructed to say a court of inquiry will be ordered without delay.

I am, major, very respectfully, your obedient servant,
A. PLEASANTON,
Captain 2d Dragoons, Act. Asst. Adj. General.
Brevet Major F. O. WYSE,
Captain 3d Artillery, Fort Vancouver, W. T.

29 d.

FORT VANCOUVER, W. T.,
March 10, 1859.

CAPTAIN: I have just received yours of this date, enclosing a letter from Captain R. Ingalls, assistant quartermaster, of yesterday, containing certain allegations against me; and I have the honor to request the general commanding to grant me a court of inquiry to investigate these allegations.

One set of all my vouchers for the expenditure of public funds up

to the 31st of December, 1857, is in the Treasury Department at Washington, D. C.; and the other set (retained once) is at one place near Baltimore, Maryland; and I therefore request that the meeting of this court may be fixed at such a date as will give me time to send to Baltimore for these papers, which I will do by the next mail.

I have the honor to be, very respectfully, your obedient servant,

F. O. WYSE,

Colonel and Brevet Major 3d Artillery.

Captain A. PLEASONTON,

2d Dragoons, and Act. Asst. Adjt. General, &c.

29 e.

OFFICE OF ASSISTANT QUARTERMASTER,

Fort Vancouver, W. T., April 13, 1859.

CAPTAIN: Before writing my letter of the 9th ultimo to you I had received from Mr. L. H. Allen, formerly an officer in the army, a letter, of which the enclosed, marked "A," is an extract.

You will observe that Mr. Ira P. Rankin assured Mr. Allen that he *never did* sign the voucher in question. I took it for granted he told the truth, but by the last mail I received a letter from Colonel Swords, of which the enclosed, marked "B," is an extract. On reading it you will see that Major Wyse's brother has recently given Mr. Rankin reasons to induce him to admit that he *may* have signed this barley voucher. The statements made in my letter of the 9th ultimo are susceptible of proof, but since the purchase made by Major Wyse of this barley might be proven to have been no more than an *error of judgment*, and as the genuineness or falsity of Mr. Rankin's signature can only be shown by producing the voucher now in the Treasury Department at Washington city before a court in presence of Mr. Rankin, and as it may be impossible for me or the authority of a court to accomplish this, I have no wish to put the service or any officer to a fruitless embarrassment or expense, and therefore will prefer no charges against Major Wyse provided he does not press an investigation.

As the two certified vouchers submitted for the consideration of the general commanding are undoubtedly correct, and as the claimants need their pay, I would very respectfully suggest that instructions be given to pay them without waiting the result of what is referred to in the other part of this letter.

I am, sir, very respectfully, your most obedient servant,

RUFUS INGALLS,

Captain and Assistant Quartermaster.

Captain ALFRED PLEASONTON,

2d U. S. Dragoons, Act. Asst. Adjt. Gen., present.

HEADQUARTERS DEPARTMENT OF OREGON,

Fort Vancouver, W. T., April 18, 1859.

Official:

A. PLEASONTON,

Captain 2d Dragoons, Act. Asst. Adjt. General.

29 f.

SAN FRANCISCO, *March 4, 1859.*

DEAR SIR :

* * * * *

Mr. R. says he has every reason to believe that the fifty tons went to the Cascades, and was delivered to Major Wyse; but he never sold any to the major, and never signed any voucher, or authorized any one to use his name, and wonders why the voucher was not made in the name of R. McKee & Co., whose signature could have been easily obtained. * * *

Yours, very truly,

L. H. ALLEN.

29 g.

SAN FRANCISCO, *March 31, 1859.*

MY DEAR CAPTAIN: I called upon Mr. Rankin as soon as I could find him after the receipt of yours of the —, in relation to the account for barley purchased of him by Major Wyse. He told me that when Mr. Allen spoke to him in relation to the matter his impression was that he had not signed the voucher. Certainly that he had not done so at the Cascades, where it was dated, as he had never been there; but since then, Captain Wyse had recalled to his mind several circumstances which lead him to believe he may have signed the receipt in this city after the return of Captain Wyse from the Columbia.

He says the sale of the barley at the price stated is all correct, as Captain Wyse, who went up as his agent for the disposal of it, accounted to him for the 50,000 pounds, at three cents per pound, and paid him the amount of \$1,500.

Captain Wyse has made an affidavit to the fact that Rankin did himself sign the voucher, and I think has also the affidavit from Rankin of the circumstances attending the matter. * * *

Yours, truly,

THOMAS SWORDS.

Captain R. INGALLS,
United States Army.

29 h.

HEADQUARTERS DEPARTMENT OF OREGON,
Fort Vancouver, W. T., April 13, 1859.

MAJOR: The general commanding instructs me to say that since my letter to you of March 10, 1859, transmitting a copy of a communication from Captain R. Ingalls on the subject of a voucher of one

Ira P. Rankin to which your certificate was attached, he has been informed by Captain Ingalls that circumstances have been brought to the notice of Mr. Ira P. Rankin, which lead him to conclude he may have signed the receipt in the city of San Francisco.

This doubt, connected with the difficulty attending the investigation of the case, renders it inexpedient to convene a court of inquiry as requested by you.

If you desire, the matter will be referred to higher authority.

I am, major, very respectfully, your obedient servant,

A. PLEASONTON,

Captain 2d Dragoons, A. A. A. General.

Brevet Major F. O. WYSE,

Captain Third Artillery, Fort Vancouver, W. T.

March 4, 1859.

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H. ALLEN.

29 i.

FORT VANCOUVER,

Washington Territory, April 13, 1859.

CAPTAIN: Yours of this day has been received, and enclosed I send a letter applying for a court of inquiry, with accompanying documents to be laid before the commander-in-chief of the army, which I have the honor to request may be forwarded.

I regret extremely to trouble our worthy commander-in-chief with this subject, and as the mail for New York will not leave here for about ten days, I would be most happy, if the general commanding the department of Oregon could, in the meantime, so reconsider his views of this case as to grant me a court without applying to the headquarters of the army.

If my application for delay has caused "the difficulties attending the investigation" referred to in your letter of this date, they no longer exist, for I now feel confident that I can prove by oral testimony that which I wished to prove by my absent vouchers, and I therefore *entirely withdraw my application for any such delay.*

I have the honor to be, very respectfully, your obedient servant,

F. O. WYSE,

Captain and Brevet Major, 3d Artillery.

Captain A. PLEASONTON,

2d Dragoons and A. A. A. General.

March 31, 1859.

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AS SWORDS.

29 j.

FORT VANCOUVER,

Washington Territory, April 13, 1859.

COLONEL: On the 10th of March, 1859, I received a letter from Captain A. Pleasonton, acting assistant adjutant general, (a copy of which is herewith enclosed, marked B,) enclosing to me a letter from Captain Rufus Ingalls, assistant quartermaster, dated 9th of March,

H. Ex. Doc. 65—9

OREGON,
April 13, 1859.

to say that since
copy of a commu-
voucher of one

1859, (a copy of which is herewith enclosed, marked A,) containing three separate and distinct allegations against me, all of them of the gravest nature, and one of them virtually an implication of forgery. The general commanding the department was so convinced of the serious nature of these charges, that voluntarily he offered me a court of inquiry, which I applied for on the same day, (see my letter of application herewith enclosed, marked C.)

Now, I have just received a letter from Captain A. Pleasonton, acting assistant adjutant general, of this date, (a copy of which is herewith enclosed, marked D,) refusing me a court of inquiry, and the said letter so far from clearing me of *all* the three allegations contained in Captain Ingalls' letter, does not touch the two first at all, and only expresses a "doubt" as to whether or no the third and last grave charge can be *fully sustained*.

I think the lieutenant general will agree with me that the object of the 92d article of war, in directing a court of inquiry to be granted on the application of the accused, was to give said accused a fair and prompt opportunity of proving his innocence of the allegations put against him; but if I understand rightly Captain Pleasonton's letter of this date, it appears to me that I am refused a court of inquiry because there is perceived to be a "doubt" as to whether or no my accuser can *entirely* succeed in proving against me the last grave charge, which implies nothing less than forgery. So that, in addition to the first cause for a court of inquiry which came to my notice on the 10th of March, 1859, this letter just received, in virtually informing me that my commanding general here has "doubts" of my *entire* innocence, makes the necessity for a court more imperative now than on the 10th of March, 1859, when the general himself deemed it so necessary as voluntarily to suggest it to me, and make a solemn promise that upon my application it should be granted.

Under these circumstances, I am compelled by a sense of duty not only to myself but to my regiment and the army at large, to avail myself of every legal privilege to refute these allegations. I therefore have the honor, under the authority of the 92d article of war, to request *most earnestly* that the lieutenant general commanding the army may be pleased to grant me a court of inquiry to investigate the allegations against me contained in Captain Rufus Ingalls's letter of the 9th of March, 1859, above referred to, marked A. Should there be any impediment in the way of the lieutenant general acting in this case I request that my application may be laid before the President of the United States without unnecessary delay.

A copy of the letter to the headquarters of the department of Oregon, accompanying this application, is herewith enclosed, marked E.

I have the honor to be, very respectfully, your obedient servant,

F. O. WYSE,

Colonel and Brevet Major, 3d Artillery.

Lieut. Col. L. THOMAS,

Assistant Adjutant General, &c.

30. *General Harney to General Scott.*

HEADQUARTERS DEPARTMENT OF OREGON,
Fort Vancouver, W. T., April 19, 1859.

SIR: I have the honor to report, for the information of the general-in-chief and the War Department, that in making the necessary arrangements for an increased escort to the northwest boundary survey, as requested by the commissioner, I have deemed it advantageous to the service to withdraw the garrison from Fort Simcoe, the necessity for its presence at that point being removed by the troops posted in its front on duty with the survey.

This reduction will materially decrease the expense, for the maintenance of a garrison at Fort Simcoe has been and will always be at a heavy cost. Besides, there is no service it could perform that cannot be done by a command from this place equally well and with more economy.

To secure the position in the event of its being wanted hereafter as a military station for any contingency, I made offer of the use of the buildings to the superintendent of Indian affairs for Washington and Oregon, with the condition they would be relinquished if needed for the troops. This offer has been accepted, and an agency will be established at that point under the condition imposed.

Special Orders Nos. 35 and 36 from these headquarters, copies of which have been forwarded to your office, will explain more fully the details of the above arrangements.

I trust these measures will meet the views of the general-in-chief and the War Department.

I am, sir, very respectfully, your obedient servant,

WM. S. HARNEY,
Brigadier General, Commanding.

ASSISTANT ADJUTANT GENERAL,
Headquarters of the Army, New York City.

31. *General Harney to General Scott.*

HEADQUARTERS DEPARTMENT OF OREGON,
Fort Vancouver, W. T., April 21, 1859.

SIR: Since my communication of the 16th instant, enclosing an application for a court of inquiry from Brevet Major F. O. Wyse, captain 3d artillery, I have received a series of charges and specifications preferred against Major Wyse by Captain R. Ingalls, assistant quartermaster, which I have the honor to submit, in connexion with the matter contained in my communication of the 16th instant, for the consideration and action of the general-in-chief.

I am, sir, very respectfully, your obedient servant,

WM. S. HARNEY,
Brigadier General, Commanding.

ASSISTANT ADJUTANT GENERAL,
Headquarters of the Army, New York City.

32. *General Harney to the Adjutant General.*

HEADQUARTERS DEPARTMENT OF OREGON,
Fort Vancouver, W. T., April 23, 1859.

COLONEL: I have the honor to enclose a complaint made by Edward D. Warbass, sutler at Fort Bellingham, against First Lieutenant John C. Howard, of the 9th infantry, for the consideration of the War Department.

Lieutenant Howard is now under sentence of a general court-martial, promulgated in General Orders No. 4, from these headquarters, of April 8, 1859.

I am, colonel, very respectfully, your obedient servant,
WM. S. HARNEY,
Brigadier General, Commanding.

Colonel S. COOPER,
Adjutant General, Washington City, D. C.

33. *General Harney to General Scott.*

HEADQUARTERS DEPARTMENT OF OREGON,
Fort Vancouver, W. T., April 25, 1859.

SIR: I have the honor to report the establishment of a steamboat line on the Columbia river, from the Dalles to Walla-Walla, a distance of over one hundred miles.

This line furnishes steam transportation over two hundred miles into the interior from this point, and during the high water in June supplies sent by it will be placed on the reserve at Snake river, some fifty miles beyond Fort Walla-Walla, for the use of the party making the wagon road to Fort Benton.

The increased facility of communication thus offered can be estimated by knowing that heretofore it occupied from a week to ten days to make the journey to Walla-Walla, which is now done in two days.

The Columbia will doubtless be navigated much further on as the advancing interests of civilization to the east shall require it. The valley of the Walla-Walla has already some two thousand industrious and thriving settlers in it, so I am credibly informed, with an emigration steadily increasing this number.

I am, sir, very respectfully, your obedient servant,
W. S. HARNEY,
Brigadier General, Commanding.

ASSISTANT ADJUTANT GENERAL,
Headquarters of the Army, New York City.

34. *General Harney to Captain Wallen.*

HEADQUARTERS DEPARTMENT OF OREGON,
Fort Vancouver, W. T., April 28, 1859.

CAPTAIN: The general commanding instructs me to enclose a copy of Special Orders No. 40 from these headquarters, assigning you to a command designed to open a road from the Dalles to the Great Salt Lake valley, communicating also with the road to the western States, through the South Pass of the Rocky mountains.

The portion of the road from the Dalles to the Snake river remains to be explored; you are therefore directed to ascertain if a wagon road cannot be made up the John Day river, and thence over to the headwaters of the Malheur, following down that stream to the Snake river. In this investigation, should any other route present greater advantages, you will use your own discretion and judgment. On reaching Snake river follow the best and most expeditious route up that river to either Goose creek, Swamp creek, Raft river, or any other stream whose direction and borders will be most suitable for the road to the point called "City Rocks."

On your return, should you possess any information to induce you to believe a shorter and more practicable route exists than the one over which you have passed, you are authorized to examine it or such portions as will enable you to submit a satisfactory report on the subject.

You will communicate with the commander of the department of Utah on arriving at "City Rocks," giving him all necessary information concerning the opening of the road. You will also cause placards to be left with such of the inhabitants of Utah that you may meet, notifying emigrants to Oregon and Washington Territory of the existence of this road, and such details as will enable them to travel it without uncertainty.

The distance of each days march will be accurately measured, and a record kept by the topographical engineer with you, who will be charged with the construction of a correct map of the road and country through which you will pass, embracing all the details.

In organizing your command, you will confer freely with Captain R. Ingalls, assistant quartermaster, who will furnish the necessary guides, &c., for the route. It is important that you should know the country in advance of you some forty or fifty miles each day, to obtain which your principal guides should be kept at this distance to the front, having persons with them by whom they will keep you advised at all times of the country over which they are moving. A copy of the map of the department of Oregon is enclosed that you may correct any errors that are observed.

You are further instructed to transmit the required returns, reports, and abstracts to this office, with such full advices, in reference to the progress of the work with which you are charged, as will convey a proper understanding of its accomplishment.

The general commanding assures you of his confidence in the execution of the important duty to which you have been named by an

appreciation of the interest and experience you have always exercised in your service on this coast.

I am, captain, very respectfully, your obedient servant,

A. PLEASANTON,

Captain 2d dragoons, Acting Ass't Adj't Gen'l.

Captain H. D. WALLEN,

Fourth Inf., Com'd'g Wagon Road Expedition, Fort Cascades.

35. *The Adjutant General to General Harney.*

ADJUTANT GENERAL'S OFFICE,

Washington, April 29, 1859.

GENERAL: As a reply to your letter of the 19th ultimo, respecting the difficulty between the pay and quartermaster's departments concerning the transportation of the funds of the pay department, I have the honor to enclose a copy of a communication addressed to Brevet Brigadier General Clarke, under date of the 4th instant, conveying the decision of the Secretary of War upon the question presented by you.

I am, general, very respectfully, your obedient servant,

S. COOPER,

Adjutant General.

Brigadier General W. S. HARNEY,

Commanding Department of Oregon,

Fort Vancouver, W. T.

35 a.

ADJUTANT GENERAL'S OFFICE,

Washington, April 4, 1859.

GENERAL: Your letter of the 17th of January last, in reference to the instructions of the quartermaster general not to pay from the funds of his department a percentage to steamers for transporting gold or silver not belonging to the quartermaster's department, was duly received and laid before the Secretary of War, who has given the following decision thereon:

"When it is necessary to put the public funds (gold and silver) in the light of freight for transfer from one point to another, like other public property, the expense of its transportation is a legitimate charge on the quartermaster's department, according to the rules which regulate the transportation of such freight in private life. The percentage is regarded as a proper ingredient in the item of transportation, where the custom in private business exacts it.

"J. B. FLOYD,

"Secretary of War."

"WAR DEPARTMENT, *March 31, 1859.*"

I have the honor to be, general, very respectfully, your obedient servant,

S. COOPER,
Adjutant General.

Brevet Brigadier General N. S. CLARKE,
*Commanding Department of California,
San Francisco, California.*

36. *General Harney to the Adjutant General.*

HEADQUARTERS DEPARTMENT OF OREGON,
Fort Vancouver, W. T., May 7, 1859.

COLONEL: I have the honor to acknowledge the receipt of your communication of the 23d of March, in which the Secretary of War directs that eighty surplus recruits, reported with the four companies of the 1st dragoons at Fort Walla-Walla, be sent under an officer to Benicia barracks, to be distributed to the other companies of that regiment.

By the report of March from Fort Walla-Walla, the number of surplus men in the four companies of dragoons is stated to be thirty-four; the others have doubtless been absorbed by discharges and other casualties of service. I shall therefore order the number of men, surplus with those companies, whatever it may be, as directed in your letter.

I am, colonel, very respectfully, your obedient servant,

W. S. HARNEY,
Brigadier General Commanding.

Colonel S. COOPER,
Adjutant General, Washington City, D. C.

37. *The Adjutant General to General Harney.*

ADJUTANT GENERAL'S OFFICE,
Washington, May 13, 1859.

GENERAL: In transmitting to you the accompanying extract from the report of the inspection of Fort Steilacoom, Washington Territory, in the month of December, 1858, by Colonel J. K. F. Mansfield, inspector general, I am instructed by the Secretary of War to say that if you have not already taken action in the matter reported of Assistant Surgeon Wirtz, that officer will be brought to trial before the general court-martial appointed in Special Order No. 85, of this date, from the War Department, on the charge of "conduct to the prejudice of good order and military discipline," with two specifications; first, that he neglected and failed to give medical attendance to the family of Lieutenant Colonel Casey when called on; second, that he *refused* to give such attendance when required.

I am further directed to enclose you two copies of the recent decision

of the Secretary of War relative to the duties of medical officers, one copy being intended for the guidance of the officer selected by you to serve as judge advocate of the court.

I have the honor to be, general, very respectfully, your obedient servant,

W. A. NICHOLS,
Assistant Adjutant General.

Brigadier General W. S. HARNY,
*U. S. A., Commanding Department of Oregon,
Fort Vancouver, W. T.*

37 a.

WAR DEPARTMENT, *April 7, 1859.*

SIR: I have given careful attention to your communication of the 20th of January last, and the several papers accompanying it, on the subject of the duties and rank of medical officers. I entertain the opinion that authority exists in the department, with the sanction of the President, to devolve the command of troops on officers of the medical and pay departments when no other officer is present; and considering such a rule expedient, a regulation will be published to that effect. Upon the other questions of rank alluded to in these papers, the regulations are considered to be in accordance with law, and cannot therefore be disturbed.

With reference to the duties of medical officers, no doubt exists in my mind as to the entire legality of the requirements of the 1133d paragraph of the regulations. Our laws do not undertake to define the extent to which, or the manner in which, the service of any officers of the army may be required, excepting, in a partial way, engineers, medical officers, and paymasters, for it would be impossible to frame such a definition that would cover all exigencies. They very wisely leave these matters to be controlled by regulations and orders. The nature and object of all military administration, and that unwritten code called custom, founded on necessity or expediency, which constitutes the common law of armies, alone afford a basis on which the legality of the requirements referred to in this case, as well as many others not specified by law in different branches of the service, can be sustained beyond a reasonable doubt.

One of the leading principles to be deduced from them is, the exclusive right of the government to the time and service of its officers, and the authority to exact those services in such ways as the public interest may require, though not within the officer's usual sphere or limits of duty. If the government does occasionally or generally relax its claims upon the time of its officers, or arrange them to specific duties or limits, the exclusive right nevertheless exists, and is everywhere exercised when the public good demands it. Thus the officers of one department of the staff, for example, are constantly liable to the duties and responsibilities of another, and to the extension of their

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W. T.

appropriate duties to other circumstances than immediate connexion with troops. There is nothing in law which confines their duties to the class of persons whom the government commissions or enlists, and interdicts them from those whom it employs on different conditions. The various offices performed in army administration may be and are daily extended to hired persons in the military service. One officer may be charged with the control and direction of these hired persons; a quartermaster performs the duties of his department in connexion with them; a commissary issues provisions to them; and there is no ground on which it can be contended that a medical officer may not be required to administer to them in his particular branch also. He is no more exempted by, or under the protection of, law than either of the others.

April 7, 1859.

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The same law of necessity, or expediency and custom, is not less conclusive with reference to such officers towards another class of persons, who, though not employed by government for its immediate service nor borne on its rolls, are nevertheless recognized by law and usage as forming an element or attachment of every army. Among these are to be included the families of officers and soldiers, and all persons whatever coming under the general denomination of retainers, whose presence the government authorizes. These persons, by the articles of war, are made subject to the rules and discipline of the service; and both policy and humanity dictate that there should be extended to them, incidentally, such protection and assistance as are available without a disproportionate inconvenience to the service, and which its discipline and peculiar circumstances put it out of their power to provide for themselves. It becomes, therefore, not merely a matter of private benefit, but of public convenience. In no one particular is this assistance more essential than in the services of the medical department. So far from assuming that the families of officers and soldiers have no proper connexion with the army, our laws contemplate exactly the reverse of that position. They recognize them by providing pensions for them under certain circumstances, and under certain conditions allow some of them rations, as in the case of laundresses. There is no law of Congress which specially makes it the duty of medical officers to render their services to prisoners of war, but it is not to be supposed that many would doubt the legality of an order which required them to do so.

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This law of custom is distinctly recognized in our enactments; and there is one which applies it directly to the duties of medical officers. The eighth section of the "act to regulate the medical establishment," approved March 2, 1799, says: "That all the said officers and others shall, as touching their several offices and duties, be liable to the rules and regulations for the government and discipline of the army; and shall be bound to obey, in conformity with law and the usages and customs of armies, the orders and directions of the chief military officers of the respective armies, and within the respective districts in which they shall respectively serve and be." This section does not come "within the purview" of the act of March 16, 1802, and therefore is not repealed by that act. It is the only law which alludes to the duties of medical officers, and, certainly, if any were necessary, is

as comprehensive as could be desired. It is in fact merely the expression of a principle which applies, of necessity and as a matter of course, to every department of the army.

I have remarked upon this subject somewhat at length, because I have observed, with some surprise, among the papers submitted with your communication the announcement of a theory which places the right of the government to the time and services of medical officers within very circumscribed limits. Such erroneous doctrines, if they exist in the medical department, cannot be too soon abandoned.

There is an allusion in your communication to the repugnance which medical officers feel at the idea of having to administer to the sick families of officers and soldiers as a duty. I regret to hear this, and I am at a loss to understand how this should be a source of vexation more than attendance on the officers and soldiers themselves. The peculiar duties of medical men are those which, perhaps above all others, should be rendered cheerfully and patiently; and if they are so rendered, there are very few cases in which they will be received offensively or ungratefully. I have entire confidence that on both sides such will be the rule in the army; any other would soon put it on a very inharmonious footing.

Although this is a subject which materially concerns the interest of the service I refrain from publishing this decision in general orders; but I desire you to furnish a copy of this communication at least to each of the signers of the memorial which you have presented.

Very respectfully, your obedient servant.

JOHN B. FLOYD,
Secretary of War.

Brevet Brig. Gen. THOMAS LAWSON,
Surgeon General of the U. S. Army.

38. *The Adjutant General to General Harney.*

ADJUTANT GENERAL'S OFFICE,
Washington, May 13, 1859.

GENERAL: Your letter of March 1, 1859, transmitting charges and specifications against First Lieutenant Hugh B. Fleming, 9th infantry, has been laid before the Secretary of War, and I now have the honor to enclose a copy of Special Order No. 85, of this date, appointing a court-martial for the trial of that officer.

The judge advocate of the army suggests a slight change in the charges exhibited by you as indicated in the accompanying draft.

I also transmit the original record of the proceedings of the general court-martial, commenced at Fort Walla-Walla in the month of February last, for the trial of Lieutenant Fleming, and before which he made use of the contemptuous and disrespectful language towards his

commanding officer embraced in the accusations at this time presented against him.

I am, general, very respectfully, your obedient servant,
 W. A. NICHOLS,
Assist. Adj. General.

Brig. Gen. W. S. HARNEY, U. S. A.,
*Commanding Department of Oregon,
 Fort Vancouver, W. T.*

39. *General Harney to General Scott.*

HEADQUARTERS DEPARTMENT OF OREGON,
Fort Vancouver, W. T., May 21, 1859.

SIR: I have the honor to report, for the information of the general-in-chief, my decision to place an officer of rank and experience in command at Fort Walla-Walla, in consequence of the important interests depending upon that position at this time, and will do so for the next year or more. Besides the escort and civil parties of the northwest boundary commission, who receive their supplies from Walla-Walla, the wagon-road expedition, under Lieutenant Mullan, of the artillery, will also be dependant on this post; and the large number of emigrants moving to that section of the country require some one of the requisite authority and experience to impose the proper course to be pursued by all parties having interests and duties in the Walla-Walla valley.

These requirements establish Fort Walla-Walla as the most important post in this department. I have, therefore, named Colonel George Wright, of the 9th infantry, whose rank is second in the department, to the command of this place; which selection is the most advisable, since the troops have been withdrawn from Fort Simcoe, and the necessities of the service do not require more than one company of infantry at Fort Dalles.

The Reverend Father De Smet, has just arrived from the Cœur d'Aléne country. A number of chiefs of the different tribes whom he has visited have accompanied him, also the noted chieftains Kamiakin and Schlloom, the leaders of the late war. These two latter have been induced to offer themselves to my disposition.

A special report will be submitted on this subject.

I am, sir, very respectfully, your obedient servant,
 W. S. HARNEY,
Brigadier General Commanding.

39 a.

U. S. NORTHWEST BOUNDARY COMMISSION,
Camp Semiahmoo, May 2, 1859.

SIR: I have the honor to acknowledge the receipt (on the 28th ultimo) of your letter of the 14th, enclosing copies of your orders for

an increased escort to the boundary commission, with a copy of your instructions to the commander of the escort.

The arrangements made by you for the protection of our surveying parties are most satisfactory, and will, I have no doubt, fully meet all the requirements of the commission in the prosecution of the work. I beg to return you my sincere thanks for the readiness with which you have complied with my request for additional force, as well as for the kind interest you have manifested in the advancement of the survey.

I have the honor to be, very respectfully, your obedient servant,

ARCHIBALD CAMPBELL,

Commissioner of Northwest Boundary Survey.

Brigadier General W. S. HARNEY,

U. S. Army, Com'g Department of Oregon, Fort Vancouver.

40. *General Harney to General Scott.*

HEADQUARTERS DEPARTMENT OF OREGON,

Fort Vancouver, W. T., June 1, 1859.

SIR: I have the honor to report, for the information of the general-in-chief, the arrival at this place, on the 28th ultimo, of a deputation of Indian chiefs, from the upper Pend d'Oreilles, lower Pend d'Oreilles, Flatheads, Spokanes, Colville, and Cœur d'Alène Indians, on a visit, suggested by myself, through the kind offices of the Reverend Father De Smet, who has been with these tribes the past winter, and has counselled them, both as an agent of the government and in his clerical capacity, as to the advantages accruing to them by preserving peaceable and friendly relations with the whites at all times.

These chiefs have all declared to me the friendly desires which now animate them towards our people, and they assure me that their own several tribes are all anxiously awaiting their return to confirm the peace and good will they are hereafter determined to preserve and maintain. Two of these chiefs—one of the upper Pend d'Oreilles, and the other of the Flatheads—report that the proudest boast of their respective tribes is the fact that no white man's blood has ever been shed by any one of either nation. This statement is substantiated by Father De Smet. The chiefs of the other tribes mentioned state their people now regret they had been so deceived and deluded as to go to war with the whites the past year. They tender the most earnest assurances that such will never be the case again. All of these chiefs assert there will be no difficulty for the future as regards the whites travelling through their country, or in the occupation of it.

They request the government to secure a reservation to their people, upon which they desire to live and be protected.

Kamiakin, the noted chief of the Yakimas, came in with these chiefs as far as Fort Walla-Walla, with the intention of surrendering himself to my custody, but in consequence of an officious interference with these Indians on the part of Mr. John Owen, Indian agent for

the Flatheads, Kamiakin became alarmed and returned to his people. No censure is to be attached to Kamiakin for this act, and I have caused him to be notified that I am satisfied with his present peaceful intentions. I enclose copies of my correspondence with Mr. John Owen, showing the course I pursued with him.

I have the honor to enclose a copy of Father De Smet's report as to the Indian tribes he has visited the past winter, which shows that peace exists among themselves as well as with the whites, and from my own observation I am convinced that, with proper care, another Indian war of any magnitude cannot soon occur in this department.

It gives me pleasure to commend to the general-in-chief the able and efficient services the Reverend Father De Smet has rendered.

I am, sir, very respectfully, your obedient servant,

W. S. HARNEY,

Brigadier General, Commanding.

ASSISTANT ADJUTANT GENERAL,

Headquarters of the Army, New York City.

OREGON,
June 1, 1859.

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40 a.

FORT VANCOUVER, May 25, 1859.

DEAR CAPTAIN: Towards the end of last March, owing to the deep snows and the impracticableness of the mountain passes, I received your kind favor of the 1st of January of the present year. I am happy that my request to the general, concerning the bringing down to Vancouver a deputation of the various chiefs of the upper tribes, met with his approval. I have no doubt, from the happy dispositions in which I left them at Walla-Walla, the general's advice and counsel will be cheerfully and punctually followed out by them, and will prove highly beneficial to their respective tribes, and consolidate the peace established last fall by Colonel Wright.

During my stay among the Rocky mountain Indians, in the long and dreary winter, from the 21st of November last until the end of April, I have carried out, as far as lay in my power, the instructions of the general. I succeeded, I think, in removing many doubts and prejudices against the intentions of government, and against the whites generally, which were still lurking in the minds of a great number of the most influential Indians. I held frequent conversations with the chieftains of the Cœur d'Alénes, the Spokanes, several of the Shuyelpees or Kettlefalls, and lower Kalispels, who had chiefly aided, particularly the two first-mentioned tribes, in their lawless and savage attack on Colonel Steptoe and in their war with Colonel Wright. These various tribes, with the exception perhaps of a small portion of lawless Kettlefalls Indians, are well disposed, and will faithfully adhere to the conditions prescribed by Colonel Wright, and to any future requests and proposals of treaties coming from government. The upper Pend d'Oreilles, the Koetinays and Flatheads, I found, as

years ago, strong friends and adherents to the whites, and I have every reason to think that they will remain faithful; they ever glory, and truly, that not a drop of white man's blood has ever been spilled by any one of their respective tribes. When I proposed to them that from each tribe a chief should accompany me down to Fort Vancouver to pay their respects to the general and to listen to his advice, all eagerly consented, and they kept in readiness for the long journey as soon as the snow would have sufficiently disappeared. Meanwhile Major Owen, agent among the Flatheads, arrived at St. Ignatius' Mission, and made known to me that he had received orders from the superintendent of Indian affairs and from Commissioner Mot to bring down to Salem a chief of each tribe of the upper country. Upon this declaration I persuaded the Indians that as Major Owen had received orders from the highest authority he superseded me, and they should look upon him as their leader in this expedition, whilst I would follow on with them as far as practicable and I would be allowed. The major having brought no provisions for them, I lodged the chiefs in my own tent, and provided them with all the necessary supplies from the 16th of April until the 13th instant, the day on which we reached Walla-Walla, and where the chiefs were liberally provided for by Captain Dent, in command of the fort. The deputation of chiefs was stopped at Walla-Walla by Major Owen, to await an express he had sent on from the Spokane prairie, with instructions to the superintendent at Salem. My own instructions from the general, according to your letter of the 1st of January, "to return to Fort Vancouver as early in the spring as practicable, for some contingency might arise requiring the general's presence elsewhere," hurried me down in compliance with said order. With regard to Kamiakin and his brother, Schlom, I held several talks with them in February, March, and April, and acquainted them with the general's order, wish, and desire, in their regard, videlicet, of following me, and of their surrendering into his hands, assuring them, in the general's own words, that "the government is always generous to a fallen foe, though it is at the same time determined to protect its citizens in every part of its territory," &c. They invariably listened with attention and respect. Kamiakin made an open avowal of all he had done in his wars against the government of the country, particularly in the attack on Colonel Steptoe, and in the war with Colonel Wright. Kamiakin stated that he strongly advised his people to the contrary, but was at last drawn into the contest by the most opprobrious language the deceitful Telgawax upbraided him with in full council, in presence of the various chiefs of the Cœur d'Alénes, Spokanes, and Pelouses. Kamiakin repeatedly declared to me, and with the greatest apparent earnestness, that he never was a murderer, and, whenever he could, he restrained his people against all violent attacks on whites passing through the country. On my way down to Vancouver, from St. Ignatius' Mission, I met him again, near Thompson's prairie, on Clark's fork. Kamiakin declared he would go down and follow me if he had a horse to ride, his own not being in a condition to undertake a long journey. I had none to lend him at that moment. At my arrival in the Spokane prairie, meeting with

Gerry, one of the Spokane chiefs, I acquainted him with the circumstance, and entreated him, for the sake of Kamiakin and his poor children, to send him a horse and an invitation to come on and to accompany the other chiefs to Walla-Walla, and hence to Vancouver; the best opportunity for him to present himself before the general and the superintendent, and to expose his case to them and obtain rest and peace. Gerry complied with my request, and Kamiakin soon presented himself and joined the other chiefs. I had daily conversations with him until we reached Walla-Walla. He places implicit confidence in the generosity of the general. I believe him sincere in his repeated declarations that henceforth nothing shall ever be able to withdraw him again from the path of peace; or, in his own words, "to unbury and raise the tomahawk against the whites." My candid impression is, should Kamiakin be allowed to return soon, pardoned and free, to his country, it will have the happiest and most salutary effect among the upper Indian tribes, and facilitate greatly all future transactions and views of government in their regard. The Indians are anxiously awaiting the result; I pray that it may terminate favorably with Kamiakin. The sight of Kamiakin's children, the poverty and misery in which I found them plunged, drew abundant tears from my eyes. Kamiakin, the once powerful chieftain, who possessed thousands of horses and a large number of cattle—he has lost all, and is now reduced to the most abject poverty. His brother, Schloom, if he lives, will come in in the course of the summer. I left him on Clark's fork, sickly and almost blind; he could only travel by small journeys. Tel-gawax, a Pelouse, I think, is among the Buffalo Nez Percés; from all I can learn he has been the prime mover in all the late wars against Colonel Steptoe and Colonel Wright. His influence is not great, but he remains unceasing in his endeavors to create bitter feelings against the whites whenever he can meet with an opportunity.

With the highest consideration of respect and esteem for our worthy general and his assistant adjutant general, I remain, dear captain, your humble and obedient servant,

P. J. DE SMET, S. J.,
Chaplain U. S. A.

A. PLEASANTON,
Captain 2d dragoons, A. A. Adjutant General.

40 b.

HEADQUARTERS DEPARTMENT OF OREGON,
Fort Vancouver, W. T., May 28, 1859.

SIR: Brigadier General Harney desires to know by what authority you have taken charge of the Indian chiefs who were sent for by him through the services of the Reverend Father De Smet? An early answer is requested to this communication, to enable the general to

remove the doubt and confusion at present existing in the minds of these Indians, arising from your unexplained conduct.

I am, sir, very respectfully, your obedient servant,

A. PLEASANTON,

Captain 2d dragoons, Asst. Adj't. General.

JOHN OWEN, *Sub-Indian Agent, Fort Vancouver, W. T.*

40 c.

FORT VANCOUVER, W. T.,

May 28, 1859.

CAPTAIN: Your letter of this date is received, and I am somewhat startled and surprised at its singular manner. While I do not, by any means, intend to acknowledge the right of General Harney to interrogate me in the style he has in the letter referred to, I will still take pleasure to inform him that I have acted, and still am acting, under the instructions and orders of the Indian department, of which I am an agent.

My actions have met with the expressed approbation of the late superintendent, Colonel J. W. Nesmith. I hold documents in my possession that show my authority.

I regret exceedingly if any act of mine has produced doubt and confusion in the minds of the Indian chiefs who are here with me. I have not sought to engender it, but have desired simply to perform my duty.

I would be pleased to have an interview with the general when it may be convenient. It is possible I may be able to explain my conduct so as to meet even his approbation.

I am, sir, very respectfully, your most obedient servant,

JOHN OWEN,

Special Agent Flathead Nation, W. T.

40 d.

HEADQUARTERS DEPARTMENT OF OREGON,

Fort Vancouver, W. T., May 28, 1859.

SIR: Brigadier General Harney instructs me to acknowledge the receipt of your communication of this date, and, in reply, to state it is not a satisfactory answer to his question of this morning.

The general further directs you will not, in any way, interfere with the Indian chiefs now at this post so long as they are under his charge.

I am, sir, very respectfully, your obedient servant,

A. PLEASANTON,

Captain 2d Dragoons, Asst. Adj't General.

JOHN OWEN, Esq., *Special Agent, &c.,*

Flathead Nation, Fort Vancouver, W. T.

40 e.

HEADQUARTERS DEPARTMENT OF OREGON,
Fort Vancouver, W. T., June 1, 1859.

MY DEAR FATHER: The general commanding instructs me to enclose a copy of his Special Orders No. 59, of this date, authorizing you to return to St. Louis through the different tribes of the interior, which you are so desirous to visit once again, for the purpose of confirming them in their good disposition towards the whites, as well as to renew their zeal and intelligence in the elements of christianity, the means so signally productive of good-will and confidence in your labors of the past winter requiring such self-denial and resolution.

On your arrival in St. Louis the general desires you to report by letter to the Adjutant General at Washington, when your relations with the military service will cease, unless otherwise ordered by the War Department.

The general is anxious that I should communicate to you the deep regret with which he feels your separation from the service, and in making the announcement he is assured the same feeling extends to all those who have in any way been associated with you.

By the campaign of last summer submission had been conquered, but the embittered feelings of the two races excited by war still existed, and it remained for you to supply that which was wanting to the sword. It was necessary to exercise the strong faith which the red man possessed in your purity and holiness of character to enable the general to evince successfully towards them the kind intentions of the government, and to restore confidence and repose to their minds. This has been done; the victory is yours, and the general will take great pleasure in recording your services at the War Department. For such services no one feels more sensibly than yourself the proper acknowledgment is linked with the hopes that are cherished in the fulfilment of a Christian duty.

Assured that all necessary blessings will be bestowed upon you in whatever sphere of duty you may be called to serve, the general will always be happy to tender to you the evidences of his esteem and friendship.

I remain, father, with the highest respect, your most obedient servant,

A. PLEASANTON,

Captain 2d Dragoons, Acting Ass't Adj't General.

Rev. P. J. DE SMET, S. J.,
Chaplain, &c., Fort Vancouver, W. T.

41. *General Harney to General Scott.*

HEADQUARTERS DEPARTMENT OF OREGON,
Fort Vancouver, W. T., June 3, 1859.

SIR: I have the honor to enclose, for the information of the general-in-chief, an interesting report from the Rev. P. J. De Smet, describing the country of upper Washington Territory, in the vicinity of the Rocky mountains, now occupied by various Indian tribes.

This report is valuable from the rare advantages Father De Smet possessed for many years, in his position as missionary among those tribes, to obtain accurate information of the country; and his great purity of character will always give respect and importance to his statements.

The description he gives of the upper Clark's fork, the St. Mary's or Bitter Root valley, the valley of Hell's Gate fork, the upper valleys on the headwaters of Beaver river, and the Koetina country, in connexion with his suggestion of collecting the remnants of the Indian tribes in Oregon and Washington Territories in that region upon a suitable reservation, is well worthy of the serious consideration of the government.

The country spoken of will not be occupied by the whites for at least twenty years; it is difficult of access, and does not offer the same inducements to the settler that are everywhere presented to him on the coast.

The system adopted in California of placing large numbers of Indians upon a single reservation, and causing them to adopt summarily the habits of life of the whites, failed in consequence of the abrupt transition brought to bear upon these simple and suspicious people. The plan proposed by Father De Smet is not open to this objection; it places the Indians in a country abounding in game and fish, with sufficient arable land to encourage them in its gradual cultivation; and by the aid of the missionaries at present with them, that confidence and influence will be established over their minds, by degrees, as will induce them to submit to the restraints of civilization when the inevitable decrees of time cause it to pass over them.

From what I have observed of the Indian affairs of this department, the missionaries among them possess a power of the greatest consequence in their proper government, and one which cannot be acquired by any other influence. They control the Indian by training his superstitions and fears to revere the religion they possess, by associating the benefits they confer with the guardianship and protection of the Great Spirit of the whites. The history of the Indian race on this continent has shown that the missionary succeeded where the soldier and civilian have failed; it would be well for us to profit by the lessons its experience teaches in an instance which offers so many advantages to the white as well as the red man, and adopt the wise and humane suggestion of Father De Smet.

I am, sir, very respectfully, your obedient servant,

W. S. HARNEY,
Brigadier General, Commanding.

ASSISTANT ADJUTANT GENERAL,
Headquarters of the Army, New York City.

41 a.

FORT VANCOUVER, W. T., May 28, 1859.

DEAR CAPTAIN: In compliance with the request of our worthy brigadier general, I herewith give you a short narrative of the upper Washington Territory, as yet occupied by various Indian tribes, as far as my views and observations may have extended during the several years' residence in that region, and particularly during the last winter trip I performed under the special directions of the general.

The distance from Fort Walla-Walla to the great Spokane prairie, through which the Spokane river flows, is about 150 miles. This whole region is undulating and hilly, and though generally of a light soil, it is covered with a rich and nutritious grass, forming grazing fields, where thousands of cattle may be easily raised. It is almost destitute of timber until you are within 30 miles of the Spokane prairie, where you find open woods and clusters of trees scattered far and wide; this portion, particularly, contains a great number of lakes or ponds, with ranges of long walls of large basaltic columns and beds of basalt. The country abounds in nutritious roots, (bitter-root, camash, &c.,) on which the Indians principally subsist for a great portion of the year.

The Spokane prairie is about thirty miles from north to south and from east to west, bounded all around by well-wooded hills and mountains of easy access. The soil is generally light, though covered with abundance of grass. Along the base of the hills and mountains patches of several acres of rich and arable land may be found. The Spokane prairie is claimed by the Cœur d'Aléne Indians. Taking the Cœur d'Aléne lake as a central point, their country may extend fifty miles to every point of the compass. The lake is a beautiful sheet of clear water, embedded like, between lofty and high mountain bluffs, and shaded with a variety of pines, firs, and cedars; in its whole circumference, to my knowledge, there is no arable land. The low bottoms in several of its many bays are subject to frequent and long inundations in the spring. The lake is about thirty miles in extent from south to north; its width throughout is from one to two or three miles. It receives its waters principally from two beautiful rivers—the St. Joseph's and the Cœur d'Aléne rivers—running parallel from east to west; each is from sixty to eighty yards broad, with a depth of from twenty to thirty feet. After the spring freshet their currents are smooth and even, and are hardly perceptible for about thirty miles from their mouths, and until they penetrate in the high mountain region, which separates their waters from those of Clark's fork and of the St. Mary's or Bitter Root river. Their respective valleys are from one to three miles broad. They are much subject to inundations in the spring. The narrow strips of land which border the two rivers are of the richest mould. The deep snows in winter, the ice and water, keep these valleys literally blocked up during several months; last winter it continued for about five months. Small lakes, from one to three miles in circumference, are numerous in the two valleys. Camash prairies and other nutritious roots and berries abound in them. Beautiful forests

of pine trees of various kinds; fir trees, cedars, larch and yew trees, poplars, &c., are found all along. The mountains bordering the two valleys are generally of an oval shape, and well wooded; a few only are snow-topped during the greatest portion of the year. All the rivers and rivulets in the Cœur d'Aléne country abound wonderfully in mountain trout and other fish. The forests are well stocked with deer, with black and brown bears, and with a variety of the fur-bearing animals. The long winters and the deep snows must retard the settlement of this country.

The Clark's fork, at its crossing below the great Kalispel lake, is about forty miles distant from the Spokane prairie. Clark's fork is one of the principal tributaries of the upper Columbia. From its entrance into the lake to the Niyoutzamen or Vermillion river, a distance of about seventy miles, I counted thirty-eight rapids. You meet with a succession of rapids and falls to its very head before it joins the Columbia; for a distance of about thirty miles its rapids and falls are inseparable. In its whole length Clark's river has few spots of good and arable soil, with ranges of dense and thick forests. The upper portion of the river and its upper tributaries have a succession of large prairies of light soil filled with water-worn pebbles, indicating bottoms or beds of ancient lakes. All these prairies are covered with a luxuriant and nutritious grass; and owing, probably, to the position of the high mountains by which they are surrounded, they are little or not covered with snow in the winter season. Such are Thompson's prairie, Horse prairie, Camash prairie, St. Ignatius' prairie, Iaco prairie, Flathead Lake prairie, with several other minor grazing fields. Far and wide apart spots of less or more acres of good arable land are found, but too few, indeed, to make it for years to come a thickly-settled portion for the whites. The country of the upper Clark's fork, the St. Mary's or Bitter Root valley, the valley of Hell's Gate fork, the upper valleys on the Beaver headwaters, the Kootenay country, within the 49th degree, and under the jurisdiction of the United States, appear to be laid out and designed by Providence to serve as reserves for the remnants of the various scattered tribes of Oregon and Washington Territory, at least for some years to come. This region, I should think, might contain all the Indians, and afford them the means of subsistence. The rivers could supply them with fish; the prairies with domestic cattle; deer and elk are still abundant; the buffalo grounds are not far off; wild edible roots and fruits are plenty; whilst in each section a sufficient portion of arable land might be found and reclaimed for their sustenance.

Should all the remnants of Indians be gathered in this upper region, one single military post might suffice to protect them against all encroachments and infringements of evil-disposed whites on Indians, and of Indians on the rights of the whites. In the way the reserves are laid out in Oregon and Washington Territory—far and wide apart, surrounded and accessible on all sides by whites—experience teaches that it must lead to the speedy destruction of the poor Indians. Liquor and its concomitants, sickness and vice, will soon accomplish the work.

Providence has intrusted and placed these weak tribes under the

care and protection of a powerful government, whose noble end has always been to protect and advance them. If aided and assisted, in a proper situation, with agricultural implements, with schools, mills, blacksmiths, &c., I have no doubt but thousands of the aborigines might be reclaimed, and live to bless their benefactors. In the topographical memoir of Colonel Wright's campaign, recently published, (page 75,) I read to this effect: "The government, in its wisdom and prudence, should make some timely provision for these many Indians by selecting for and placing them upon proper reservations in order that they may not be caused to disappear by the fast approaching waves of civilization and settlement that must otherwise overtake and eventually destroy them."

I have labored for several years among the upper tribes in the capacity of missionary. My companions have carried on the work to the present time, and will, I hope, continue their labors. The want of adequate means has greatly retarded one of the principal objects we had in view—their civilization. We can all, and do, cheerfully testify to the good dispositions of these upper tribes. Should they be supplied with the necessary implements of agriculture, with oxen, &c., they would all work, and would soon place themselves above want and in comfortable circumstances. As for schools, all are anxious to have their children taught.

These are a few points I desired to be allowed to present to the consideration of the general, if they can in anywise tend to the amelioration of the lot of the Indians.

With the highest sentiments of respect and esteem, I remain, captain, your humble and obedient servant,

P. J. DE SMET, S. J.,
Chaplain, &c., United States Army.

Captain A. PLEASANTON,
2d Dragoons, Acting Assistant Adjutant General.

42. *The Adjutant General to General Harney.*

ADJUTANT GENERAL'S OFFICE,
Washington, July 2, 1859.

GENERAL: Your letter of April 6, 1859, to the assistant adjutant general of the headquarters of the army, enclosing a communication from "Spokane Cary," setting forth the desire of the Spokane Indians to be placed upon a reservation, has been forwarded to this office and laid before the Secretary of War, who has invited the attention of the Secretary of the Interior to the subject presented by you.

I have the honor to be, general, very respectfully, your obedient servant,

S. WILLIAMS,
Assistant Adjutant General.

Brig. Gen. W. S. HARNEY,
*U. S. A., Commanding Department of Oregon,
Fort Vancouver, W. T.*

43. *The Adjutant General to General Harney.*

ADJUTANT GENERAL'S OFFICE,
Washington, July 19, 1859.

SIR: Several petitions, numerously signed by officers serving in the departments of Oregon and California, for a repeal of paragraph two hundred and eight of the present regulations, were recently forwarded to this office by Mr. R. W. Heath, sutler at Fort Walla-Walla, Washington Territory, and on receipt were submitted to the Secretary of War, by whom they have been returned with the following endorsement, which you are respectfully asked to communicate to Mr. Heath, viz:

"The views and objects of these papers are not concurred in by the department."

I am, sir, very respectfully, your obedient servant,

E. D. TOWNSEND,
Assistant Adjutant General.

COMMANDING OFFICER,
Department of Oregon, Fort Vancouver, W. T.

44. *General Harney to General Scott.*

HEADQUARTERS DEPARTMENT OF OREGON,
Fort Vancouver, W. T. July 19, 1859.

SIR: I have the honor to report, for the information of the general-in-chief, my return to this place from an official visit to the posts on Puget's Sound, made in the United States steamer Massachusetts.

Leaving this point on the 28th of June, I was detained three days by the bar of the Columbia river, which was very rough from heavy weather outside, and the Massachusetts, being deeply laden with stores for the troops on the sound, was drawing over seventeen feet of water, too great a draught, in the opinion of the pilot, to be risked often on so dangerous a bar as that of the Columbia. On the 1st of July we passed the bar safely, and in twenty-four hours after entered the Straits of Fuca, between Vancouver's island and the rock-bound coast of Washington Territory.

To Fort Steilacoom, at the head of the sound, from the entrance of the Straits of Fuca, occupied some twenty hours, causing us to reach that point about midday on the 3d of July.

On the 4th of July I inspected the troops and post of Fort Steilacoom, commanded by Lieutenant Colonel S. Casey, 9th infantry, and found the discipline, instruction, and economy of the service, in all its branches, highly satisfactory.

This post is badly located, being over a mile from the sound, and difficult of access, without any military advantages for protection or defence. In consequence of the immense and impenetrable forests which line its shores, the sound will always be the channel of commu-

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nication from point to point, and the positions which command the sound will always remain the military points of protection and defence. From the great width of the sound in many parts, suitable locations, combining advantageous sites for batteries, with proper shores for wharves and anchorage, are not often presented. I would, therefore, respectfully suggest that Fort Steilacoom be considered a temporary establishment until a proper site to cover the head of the sound is hereafter named. I conceive Point Defiance, on the east shore of the sound, some sixteen or twenty miles to the north of Fort Steilacoom, as a proper site for this purpose. This point commands the sound, it being about half a mile wide to the opposite shore; the bluff is some eighty feet high, a sufficient back country, with good anchorage and shores for wharfage. A battery of guns in position here would close the head of the sound to the largest fleet. The enclosed map will better explain to the general-in-chief the advantages of this position, and enable him to see how great and urgent are the necessities presented in the fifteen hundred miles of coast on Puget's Sound requiring each day more imperiously its proper defence.

I left Fort Steilacoom on the 5th of July, and reached Fort Bellingham the next day, having passed through the Rosario strait and Bellingham strait into Bellingham bay. Fort Bellingham is a temporary post, established here several years ago to protect the coal mines at Whatcom from the northern Indians.

The commander informed me that these Indians had not appeared in that vicinity for two years, and no danger was now apprehended from them. This command, company "D," 9th infantry, Captain Pickett, was in good order in all its arrangements.

As an evidence of the mildness of the climate in this latitude, Captain Pickett was cutting a second crop of clover, some two feet high, on the 7th of July, and he informed me his garden was then furnishing this year's potatoes, of a large size, and green peas. Last year his company sold four hundred dollars worth of potatoes alone. This post is within fifteen miles of the forty-ninth parallel of latitude. At Victoria, on Vancouver's island, I observed a fig-tree, in the open air, with fruit half-grown upon it. As I believe Norfolk, Virginia, is the highest latitude on the Atlantic coast where the fig grows in the open air, this fact affords a good comparison of the climate of the two coasts in these respective latitudes.

Fort Bellingham has no military advantages whatever, and can but indifferently serve the design for which it was intended.

Leaving Bellingham on the 7th instant, I arrived at Semiahmoo the same day. The boundary commission were in the field prosecuting their labors, but the huts they have erected for their protection and bureau work are simple, yet well adapted to all their wants.

On the 8th of July I left Semiahmoo, passing into the Gulf of Georgia, and thence into the Straits of Haro to Vancouver's island, arriving at Victoria about midday.

Governor Douglas, of British Columbia, received myself and staff with the consideration and respect due to my rank, and was personally courteous and agreeable in offering civilities and information concerning the island. Victoria is situated on a small arm of the sound, into

which only moderate-sized vessels can enter ; the harbor is three miles to the north, in the bay of Esquimault. Great labor is being expended in the building of Victoria, much of which is done by the northern Indians, who go in there to trade with the Hudson's Bay Company, and are hired by the day for a small pittance. They are said to be very warlike, and are a stout, fine-looking set of men, with fairer complexions than the Indians of the sound within the limits of the United States.

Like all Indians, they are fond of whiskey, and can be seen at all hours of the day in the streets of Victoria drinking whenever they can get it, yet they are not permitted to become disorderly. These Indians are more obedient under British rule, which appears to be kind, but firm, than their fellow-men with us under any of the systems adopted by our government.

The population of British Columbia is largely American and foreigners ; comparatively few persons from the British isles emigrate to this region. The English cannot colonize successfully so near our people ; they are too exacting. This, with the pressing necessities of our commerce on this coast, will induce them to yield, eventually, Vancouver's island to our government. It is as important to the Pacific States as Cuba is to those on the Atlantic.

* * * * *

I have ordered the company at Fort Bellingham to be established on San Juan island for the protection of our citizens, and the steamer Massachusetts is directed to rendezvous at that place with a second company to protect our interests in all parts of the sound.

In effecting these dispositions it became necessary to withdraw the company from Fort Townsend, which I have done with little reluctance, as it was expensive, out of position, and without any military advantages.

I visited Fort Townsend on the 10th instant ; the troops were in good order, but the economy of service in building the post appears to have been left unconsidered. Company "I," 4th infantry, Brevet Major G. O. Haller, in command, formed the garrison.

Arriving at Olympia on the 12th, I crossed over by land to the Columbia river in three days, one of which was spent in descending the Cowlitz river in canoes. I returned to this station on the 15th. Puget's Sound is a most remarkable sheet of water, and is destined to be eminent in the annals of commerce from its great advantages. It is the only shelter for vessels in distress encountered by a southwest gale on the Pacific. The finest harbors generally have obstructions at their entrance which renders it more dangerous to risk an attempt to enter in times of storm than meet the contending elements of the oceans. It is not so with Puget's Sound ; its entrance is fifteen miles wide and as deep as the sea from shore to shore, yet so sheltered by the high mountains on its islands and shores that its waters are as smooth as those of a river or lake. Its depth of water throughout is most singular ; frequently our ship would anchor within one hundred yards of the shore in fifty fathoms, and many places no anchorage is to be had. The currents are strong and rapid from the tides ; at Olympia, the head of the sound, the tide rises from nineteen to twenty-

two feet. The shores of Puget's Sound already furnish lumber and spars to California, South America, Mexico, and China.

In China fuel is a scarce article, and our shipmasters take coal from Bellingham to China as ballast and dispose of it at a large profit, bringing back in return Chinese products to this coast.

The French navy obtain a large number of spars from this coast, which are shipped round the Horn to France.

The English government consider their interests on Puget's Sound so important that they keep three vessels of war constantly on its waters.

I would respectfully call the attention of our government to the fact that we have neither a ship-of-war on Puget's Sound, or nearer than California, nor is there a gun in this department larger than a six-pounder.

With a sea-coast of greater extent than that of the Atlantic from Maine to Florida, belonging to this command alone; with a population depending entirely upon commerce for their existence—the only routes to the country as yet being by sea—our defenceless position, all impose upon me the duty of urging a speedy action for the establishment of permanent works to protect the mouth of the Columbia river, and the various sections of Puget's Sound.

In the meantime I feel assured the general-in-chief will use his best efforts to secure for this command, at an early day, a suitable supply of heavy ordnance, with the proper ammunition, that the means of defence may be available in the event of a necessity demanding it.

I am, sir, very respectfully, your obedient servant,

WM. S. HARNEY,
Brigadier General, Commanding.

ASSISTANT ADJUTANT GENERAL,
Headquarters of the Army, New York City.

45. General Harney to General Scott.

HEADQUARTERS DEPARTMENT OF OREGON,
Fort Vancouver, W. T., July 20, 1859.

SIR: I have the honor to report, for the information of the general-in-chief, the arrival of Major Lugenbeel's command at its position near Colville, on the 15th of June last, in compliance with Special Orders No. 36, from these headquarters, of April 14, 1859.

This depot at Colville is located on Morigeau's creek, fourteen miles from the Hudson's Bay fork, in latitude 48° 35' north, two hundred miles from Fort Walla-Walla, one hundred and sixty miles from its depot at Snake river, the terminus of steamboat navigation.

The troops expended a good deal of labor on the road from Snake river to the depot at Colville, and it is now reported an excellent road.

Major Lugenbeel reports that timber of the very best quality abounds; the grazing excellent; abundance of good limestone, and clay for brick, within two miles of his position, and plenty of grass

for hay within five miles; a saw-mill three miles distant, and a grist mill within ten or twelve miles. He further states that, should the season prove favorable, some six thousand bushels of oats can be purchased at reasonable rates. Twenty-five barrels of lime have already been burnt by his command, and a brick-yard is in successful operation. This is the only limestone yet found in this country, and it is very valuable, for at present lime is imported at an expense of six dollars per barrel. Colville valley is more than fifty miles in length, and from one to three in width, running northwest and southeast. There are also many side valleys, and the area of good farming land is very large.

In conclusion, Major Lugenbeel states Colville valley to be the finest body of land he has seen in Washington Territory, surpassing Walla-Walla, and capable of supporting a numerous population.

The Indians have called upon him and express great friendship. Our miners pass through their country to the Pend d'Oreille mines and Fraser's river undisturbed. No difficulty is anticipated so long as the troops remain among them.

As the northwest boundary commission will occupy this depot for the two coming years, and the advantages of the locality, with its importance in a military view, as a position favorable to the restraint and control of our own Indians, as well as those of British Columbia who cross over our border, I respectfully recommend that estimates be submitted to Congress for an appropriation to build quarters, &c., for a garrison of four companies of foot troops at the site reported by Major Lugenbeel.

The expense of supporting a command at Colville after it is fairly established will compare favorably with that of any position in this department.

I have also the honor to report the arrival of Captain Archer's command of two companies of the 9th infantry, escort to northwest boundary commission, east of the Cascade mountains, at Lake Osogoo, some sixty miles to the west of Colville. This command was moving on to communicate with the advanced parties of the commission, who are working their way from the coast eastward. Captain Archer reports the Indians as very friendly and well disposed; his command in good condition.

I have further the honor to report the progress of the expedition ordered to open a wagon road from Fort Dalles, on the Columbia river, to Salt Lake City, by Special Orders No. 40 from these headquarters, Captain H. D. Wallen, 4th infantry, commanding.

Captain Wallen reports part of the road passed over from the Dalles to the crossing of the Des Chutes river, at the mouth of Warm Spring river, as rather mountainous; the distance is some fifty-five miles; but from the crossing of Des Chutes to the head of Crooked river, over one hundred miles beyond, he says, to use his own words: "The road is excellent—the best natural road that I have ever passed over. Water, wood, and grass are in abundance along the route; the grass full of seed, and almost as nutritious as the forage used in the barrack stable."

His last report was from the south fork of Crooked river, which he

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was about leaving to follow down the Malheur. He was beyond the Blue mountains, and his guides reported the country as very good in his advance. No mountains are known to exist between the head of Crooked river and Great Salt lake.

At the crossing of the Des Chutes river Captain Wallen's guides reported two or three mountains of salt about twenty or thirty miles to the right. Large specimens were brought into his camp. The pontoons with the engineer detachment require great care in handling in rapid streams; the load in the wagon when crossing on a pontoon should be kept quite low and tied in—if at all elevated it careens at once. For the want of this knowledge, a load from one of Captain Wallen's wagons was lost in crossing the Des Chutes.

Captain Wallen reports his command in good condition; his animals have improved on the march. He had caused accurate surveys of the country passed over to be made, which will be mapped and duly forwarded.

They will greatly contribute to complete the geography of that section of this department, about which nothing definite is now known.

From the favorable reports of Captain Wallen already received, I am satisfied the entire result in obtaining a plain and easy wagon road from the Columbia river to the Great Salt lake will be a complete success.

I am, sir, very respectfully, your obedient servant,

W. S. HARNEY,

Brigadier General, Commanding.

ASSISTANT ADJUTANT GENERAL,

Headquarters of the Army, New York City.

46. General Harney to the Adjutant General.

HEADQUARTERS, DEPARTMENT OF OREGON,
Fort Vancouver, W. T., July 20, 1859.

COLONEL: By the department return for the month of May of this year, it will be seen that two hundred and sixty-two recruits were then required for this command, and by the time such number can be sent to this coast, the number required will be equal to three hundred, through the casualties or service. I have therefore to request a detachment of three hundred recruits to fill up the companies here, to arrive before the middle of November, that they may be distributed before the winter is too far advanced.

I am, colonel, very respectfully, your obedient servant,

WM. S. HARNEY,

Brigadier General, Commanding.

Colonel S. COOPER,

Adjutant General, Washington City.

47. *General Harney to General Scott.*

HEADQUARTERS DEPARTMENT OF OREGON,
Fort Vancouver, W. T., August 1, 1859.

SIR: I have the honor to report, for the information of the general-in-chief, the arrival of a part of Captain Wallen's command at Fort Dalles, under First Lieutenant J. C. Bonnycastle, 4th infantry.

This detachment was sent back by Captain Wallen to explore a part of the country to the east of the route taken in starting out.

Lieutenant Bonnycastle states, "the road by which I came from the camp, at which the division of Captain Wallen's command was made, I regard as a very good one for wagons, being generally over a level country, and with water and grass in sufficient quantities for large trains from the point at which the command was intrusted to me to Fort Dalles. I brought the entire train enumerated before (seventeen ox wagons and six six-mule wagons) in twelve travelling days, without the loss of a single animal, and breaking but one wagon-tongue (through carelessness) and one hound; and I am satisfied that the regular travelling time of loaded wagons between the two points—Fort Dalles and the camp on Crooked river—would not exceed ten days."

Lieutenant Bonnycastle proposes to make a more detailed report, accompanied by a map, which will be duly forwarded.

The distance of travel thus described is nearly two hundred miles, and fixes a good wagon road beyond dispute from the Columbia river to the south of the Blue mountains.

No other mountains are now known to exist on Captain Wallen's route, and I expect soon to hear from Salt lake of his successful arrival at the point to which he was ordered.

I am, sir, very respectfully, your obedient servant,

W. S. HARNEY,
Brigadier General, Commanding.

ASSISTANT ADJUTANT GENERAL,
Headquarters of the Army, New York City.

48. *General Harney to General Scott.*

HEADQUARTERS DEPARTMENT OF OREGON,
Fort Vancouver, W. T., August 3, 1859.

SIR: I have the honor to report, for the information of the general-in-chief, that in March last I directed the building at Fort Walla-Walla to be discontinued, after accommodation had been furnished for four companies, the necessities of the public service not requiring a larger garrison at that point, and the economy of the service could be promoted by removing the two remaining companies to some less expensive position.

During the spring and summer the troops in that section of the country have been principally in the field, exploring the country, protecting emigration, or occupied in making roads; but I propose to place them for the winter in the following order, viz:

The four companies of the 9th infantry, on duty with the northwest boundary commission, will remain at the Colville depot until further operations can be resumed in the spring.

Two companies of dragoons, 1st regiment, and two companies of 9th infantry, will garrison Fort Walla-Walla.

One company of 1st dragoons and one of 9th infantry to garrison Fort Dalles, leaving one company of 1st dragoons and one company of 4th infantry to be disposed of.

These two companies can be provided for at Fort Vancouver more comfortably and with greater economy than at any other point in the department. I shall, therefore, bring them here, which will give eight companies for the garrison at this place, viz: one light battery, four companies of foot artillery, two companies of infantry, the fourth, and one company of dragoons, the first.

Two positions will be maintained on Puget's Sound, viz:

Three companies of infantry at Fort Steilacoom, and one company of infantry on San Juan island; one company of infantry, under the orders of the commander of Fort Steilacoom, is established on the steamer Massachusetts, to protect our settlement from the northern Indians.

The northwest boundary commission will have part of their force at Semiahmoo until spring, at which point one company of the 9th infantry will remain.

Such will be the general disposition of the troops of this department for the winter. Should necessity require it, any point on the Puget's Sound, or to the eastern frontier up the Columbia river, can be reinforced in a short time from the force at Fort Vancouver, which occupies a central position connected with all the channels of communication of the country.

There have been no disturbances or troubles in this department the present year, and I am satisfied the presence of the different commands among the Indians during the summer will be effective in prolonging the general peace and quiet which now exists.

I am, sir, very respectfully, your obedient servant,

W. S. HARNEY,

Brigadier General, Commanding.

ASSISTANT ADJUTANT GENERAL,

Headquarters of the Army, New York City.

49. *General Harney to the Adjutant General.*

HEADQUARTERS DEPARTMENT OF OREGON,

Fort Vancouver, W. T., August 5, 1859.

COLONEL: I have the honor to enclose charges and specifications against First Lieutenant Henry V. De Hart, of the 3d artillery, with a request he may be brought to trial.

In this matter Lieutenant De Hart has been the dupe of others, who evince more of insubordination than interest in the service; and as the principle involved in this case is vital to the interests of the service, in maintaining that a staff officer is but the medium of communication of his commanding officer, I request the President to organize a general court-martial of officers of high rank and experience to decide upon the conduct of Lieutenant De Hart. This is not the first attempt in which authority has been ignored by a part of my command, and which has been brought to the notice of the War Department; the present instance has been fostered by the inert action of courts-martial in this department to inflict adequate punishment in cases where officers are concerned.

I would state, in conclusion, that by my direction Lieutenant De Hart has been admonished, both officially and by persons friendly to him, of the error and criminality of his conduct.

I am, colonel, very respectfully, your obedient servant,

WM. S. HARNEY,

Brigadier General, Commanding.

Colonel S. COOPER,

Adjutant General, U. S. Army, Washington City.

49 a.

Charges and specifications exhibited against First Lieutenant Henry V. De Hart, of the 3d regiment of artillery, by Brigadier General William S. Harney, United States army, commanding the department of Oregon.

Charge 1.

Contempt and disrespect toward his commanding officer.

Specification.—In this, that he, Henry V. De Hart, first lieutenant of the 3d regiment of artillery, having been censured for his official conduct by his commanding officer, the general commanding the department of Oregon, William S. Harney, brigadier general United States army, in an official communication addressed to the commanding officer of Fort Vancouver by the acting assistant adjutant general of the department of Oregon, did seek an interview with the acting assistant adjutant general, Captain A. Pleasonton, of the 2d regiment of dragoons, and did demand of that officer a withdrawal of the official communication censuring him, declaring such censure an insult to him, for which he held the acting assistant adjutant general personally responsible; and on being informed by Captain Pleasonton that the general commanding was responsible for the contents of the communication placing censure upon him, and was the proper authority to withdraw it, did assert the said Pleasonton was shielding himself behind his official position to insult him. This at Fort Vancouver, July 31, 1859.

All of which was conduct expressive of great disrespect and contempt of his commanding officer, by wilfully ignoring his official authority and action.

Charge 2.

Conduct unbecoming an officer and a gentleman.

Specification 1.—In this, that Henry V. De Hart, first lieutenant of the 3d regiment of artillery, having been censured for his official conduct by his commanding officer, the general commanding the department of Oregon, Brigadier General William S. Harney, United States army, in an official communication addressed to the commanding officer of Fort Vancouver by the acting assistant adjutant general of the department of Oregon, Captain A. Pleasonton, of the 2d regiment of dragoons, did demand of that officer the withdrawal of the censure placed upon him, and on being informed by Captain Pleasonton that the censure was written by the order and in the name of the general commanding the department, and he only had authority to withdraw it, did assert that he, De Hart, considered the said Pleasonton personally responsible to him for such censure, and was only attempting to shield himself behind his official position to insult him. This at Fort Vancouver July 31, 1859.

All of which, by grossly and wantonly insulting his superior officer, Captain A. Pleasonton, 2d dragoons, acting assistant adjutant general, when in the proper performance of his duty, in discrediting his official statements respecting his commanding officer, and in imputing to the said Pleasonton unworthy and dishonorable motives in the discharge of his duty, is conduct unbecoming an officer and a gentleman.

Specification 2.—In this, that he, Henry V. De Hart, first lieutenant of the 3d regiment of artillery, having been censured for his official conduct by his commanding officer, Brigadier General William S. Harney, United States army, in an official communication addressed to the commanding officer of Fort Vancouver, by his proper staff officer, Captain A. Pleasonton, 2d dragoons, acting assistant adjutant general, did seek an interview with the said Pleasonton, and demand from him the withdrawal of the censure placed upon him, declaring the same to be an insult to him, and on being informed the said censure was the official action of the general commanding, did retort upon his commanding officer, Brigadier General Wm. S. Harney, United States army, by asserting, he, De Hart, considered the acting assistant adjutant general personally responsible to him for that censure, and was only attempting to shield himself behind his official position to insult him with such statement. This at Fort Vancouver, July 31, 1859. Such conduct, being grossly insulting to his commanding officer, impeaching his conduct and charging him with lending his authority and countenance for vile and unworthy purposes, is conduct unbecoming an officer and a gentleman.

WM. S. HARNEY,
Brigadier General, Commanding Department.

WITNESSES:

Captain H. M. JUDAH, *4th Infantry.*

Captain A. PLEASONTON, *2d Dragoons, A. A. A. G.*

Brig. Gen. W. S. HARNEY, *United States Army.*

49 b.

HEADQUARTERS DEPARTMENT OF OREGON,
Fort Vancouver, W. T., July 23, 1859.

SIR: The general commanding instructs you to report the following named privates of your command on furlough until further orders, from the dates opposite their respective names, viz:

Private Covey, company "M," 3d artillery, June 11, 1859.
Private O'Detle, company "M," 3d artillery, June 17, 1859.
Private Gleeson, company "D," 3d artillery, June 25, 1859.
Private Workman, company "D," 3d artillery, June 17, 1859.
Private McDermott, company "M," 3d artillery, July 21, 1859.
Private Cassidy, company "B," 3d artillery, July 23, 1859.
Private Tieman, company "A," 3d artillery, July 23, 1859.
I am, sir, very respectfully, your obedient servant,

A. PLEASONTON,
Captain 2d Dragoons, A. A. A. General.

COMMANDING OFFICER,
Fort Vancouver, Washington Territory.

49 c.

ADJUTANT'S OFFICE,
Fort Vancouver, W. T., July 23, 1859.

SIR: Pursuant to instructions this day received from the headquarters of the department, the commanding officer of this post directs that the following named men, soldiers of your company, be reported on furlough until further orders, from the dates opposite their respective names:

Private Covey, from June 11, 1859.
Private O'Detle, from June 17, 1859.
Private McDermott, from July 21, 1859.

I am, sir, very respectfully, your obedient servant,

HENRY C. HODGES,
1st Lieutenant and Adjutant, 4th Infantry, Post Adjutant.
The COMMANDING OFFICER,
Company "M," 3d Artillery, Fort Vancouver, W. T.

49 d.

FORT VANCOUVER,
Washington Territory, July 23, 1859.

SIR: Your note of the 23d of July, in which the commanding officer directs me to place certain men, soldiers of company "M," 3d regiment

of artillery, on furlough pursuant to instructions received from department headquarters, was received this morning.

In consequence thereof, I have the honor to apply to the commanding officer for the necessary data to make out their furlough papers, it being necessary for a soldier thus absent from his company to be provided with these papers for his own protection.

Hoping you will lay this before the commanding officer at your earliest convenience.

I am, sir, your obedient servant,

H. V. DE HART,

1st Lieutenant 3d Artillery, Commanding Company M.

First Lieutenant HENRY C. HODGES,

Adjutant 4th Infantry and Post Adjutant.

49 e.

ADJUTANT'S OFFICE,

Fort Vancouver, W. T., July 24, 1859.

SIR: Your communication of yesterday has been laid before the commanding officer of this post who decides—

"That in the case of the soldiers therein referred to a compliance with paragraph No. 184, General Regulations for the Army of 1857, (if not altogether precluded by it,) is deemed to be superseded by department orders of the 23d instant." Which decision I am directed to transmit to you.

I am, sir, very respectfully, your obedient servant,

HENRY C. HODGES,

1st Lieutenant and Adjutant, 4th Infantry, Post Adjutant.

First Lieutenant H. V. DE HART,

3d Artillery, U. S. A. Fort Vancouver, W. T.

49 f.

FORT VANCOUVER, W. T., *July 24, 1859.*

CAPTAIN: On the 23d of this month I received a communication from the adjutant's office at this post, directing me to report certain men, soldiers of "M" company, 3d regiment of artillery, which I command, on furlough

I immediately addressed an official note to the post adjutant, requesting that the commanding officer might furnish me at his earliest convenience with the data necessary to make out their furlough papers, a copy of which you will find enclosed. My object in this communication is to appeal to department headquarters against a compliance with the order above referred to, which I do, direct to the headquarters of the department, without referring the matter to the commanding officer of the post.

H. Ex. Doc. 65—11

As the order stated, he was acting pursuant to instructions received from those headquarters.

I make this appeal for the following reasons, viz :

1. The soldiers named in the order have not applied for furlough, and, consequently, it is to be supposed they do not desire it.

2. The order directs that the furlough of two of the men mentioned shall be dated back to certain and specified days of last month ; one to be borne on furlough from the 11th of June, and the other from the 17th, thereby requiring me to represent the last muster-roll of "M" company, already forwarded to Washington, as incorrect ; those men being thereon borne as on extra duty in the quartermaster's department.

3. The order is in direct violation of paragraph 182, Army Regulations of 1857, which explicitly says, that furloughs to enlisted men "will be granted *only* by commanding officers of posts, or of regiments, when actually quartered with them."

4. That the effect of the order is to make the position of commanding officer of a company a mere nominal one, taking away from him entirely the control and command of his company, and depriving him of the privilege *even* of saying whether a man does or does not deserve a furlough ; thus destroying the relation between the soldier and the commanding officer of his company, so necessary to the preservation of its discipline, which requires that all papers giving indulgences in the shape of leaves of absence and furloughs be signed and approved by him before being forwarded to the commanding officer of the post.

5. That these men being placed on furlough at this time, and the company having just commenced its system of target practice, to which particular attention was called by a department order, they will lose the entire benefit of it.

For the above reasons I respectfully request that the general commanding the department may instruct the commanding officer of this post to rescind his order to me, placing these men, soldiers of company "M," 3d regiment of artillery, on furlough.

Hoping you will lay this before the general at your earliest convenience, and that it may meet his favorable consideration,

I am, sir, very respectfully, your obedient servant,

H. V. DE HART,

1st Lieut. 3d Artillery, Commanding Company "M."

A. PLEASANTON,

Captain 2d Dragoons, Act'g Assist. Adj. Gen.

Enclosed I forward you a copy of the order placing those men on furlough, my reply to it, requesting data to fill their furlough papers, and the reply of the commanding officer of the post to that request.

49 g.

HEADQUARTERS DEPARTMENT OF OREGON,
Fort Vancouver, W. T., July 30, 1859.

SIR: The general commanding instructs me to return the enclosed communication to Lieutenant De Hart, of the 3d artillery, through the commander of Fort Vancouver.

Lieutenant De Hart, in transmitting this communication to these headquarters with his endorsement of the 29th instant, is guilty of the violation of the 441st paragraph of the General Regulations, which is rendered the more culpable by his impertinent and disrespectful letter to his superior officer, the general commanding.

Ignorance and inexperience accompanying modesty are strong palliatives in the commission of error, but connected with a vain conceit which puts aside in its blindness the rules and regulations by which it affects to be guided, serve to magnify the confusion and offence of the acts committed under their influence, and to render error criminal.

The general commanding is pleased to consider the limited service of three years of Lieutenant De Hart, and is indisposed to visit his conduct with the severity it merits. It is hoped, therefore, this admonition will be sufficient warning to him for the future, and that in his zeal to establish for himself a reputation as a good officer he will not commence his career by proving the reverse.

The commanding officer of Fort Vancouver is directed not to transmit hereafter to these headquarters any communication that is not couched in proper and respectful language in respect to manner, and without strictures or animadversion upon any acts emanating from this or higher authority.

A copy of this communication will be furnished Lieutenant De Hart.

I am, sir, very respectfully, your obedient servant,

A. PLEASANTON,

Captain 2d Dragoons, A. A. Adj. General.

COMMANDING OFFICER,

Fort Vancouver, W. T.

49 h.

FORT VANCOUVER, W. T.,
August 4, 1859.

SIR: Enclosed please find an appeal from me to the headquarters of the army, with other documents appertaining thereto.

I request that the commanding officer of the post may forward this appeal with the documents, through the proper channel, to those headquarters by the first mail.

Very respectfully, your obedient servant,

H. V. DE HART,

First Lieutenant 3d Artillery.

Lieutenant HODGES,

Adjutant 4th Infantry and Post Adjutant.

49 i.

FORT VANCOUVER, W. T.,
August 4, 1859.

COLONEL: Having made an appeal to the headquarters of this department against a compliance with a certain order received from the commanding officer of this post, and this appeal having now been twice returned to me from those headquarters, the last time accompanied with a letter to the commanding officer of the post, forbidding him to again reforward it to the headquarters of the department of Oregon, making it clearly evident to me that I cannot obtain any action at these headquarters upon my appeal, or any redress for the cause of my complaint, I therefore have the honor to appeal to the headquarters of the army, asking for redress for the cause of my complaint; stating, in addition to what I have said in my appeal, for the information of the lieutenant general commanding the army, that those men mentioned as being placed on furlough were so placed in order that they might work as mechanics upon a private farm in the vicinity of this post owned by the general commanding this department.

I also ask for redress against the letter received from the headquarters of this department, which I regard as abusive and tyrannical; abusive, as it is insulting to me as an officer and a gentleman; tyrannical, as it forbids to an officer the right of appeal against any act whatever which has emanated from the headquarters of this department, or any higher authority.

In answer to the first part of the letter I have to state that my appeal, so far as I was concerned, *was* forwarded through the proper channel, and *not direct* to the headquarters as it states, as I gave it myself to the commanding officer of the post, requesting him to forward it.

I enclose for the full and perfect understanding of all the circumstances connected with this case, (for the perusal of the lieutenant general commanding the army,) the monthly return of company M, 3d regiment of artillery, for June, 1859, marked B; that for July, 1859, marked C; a letter of instructions from the commanding officer of the post, marked D; with my letter to the commanding officer of the post, marked E, my appeal to the headquarters of this department, marked F, and the reply of the commanding officer of the post to my letter, marked H; also the letter received on the 31st of July, from the headquarters of the army, marked A.

These are all the documents that have been written. Hoping that the lieutenant general commanding may consider favorably my appeal for redress, I have the honor to be, sir, very respectfully, your obedient servant,

H. V. DE HART,
First Lieutenant 3d Artillery.

Colonel L. THOMAS,
Assistant Adjutant General,
Headquarters of the Army.

49 j.

HEADQUARTERS DEPARTMENT OF OREGON,
Fort Vancouver, W. T., August 4, 1859.

COLONEL: The general commanding directs me to return to you the enclosed papers from Lieutenant De Hart, 3d artillery, which you have forwarded to these headquarters, to be transmitted to the headquarters of the army.

One of these papers, the communication of Lieutenant De Hart, of the 24th of July last, to these headquarters, has been twice returned as an impertinent and disrespectful letter to the general commanding, and Lieutenant De Hart's conduct in connexion with it has caused him to be placed in arrest by the general commanding, who has filed charges against him to be submitted for the action of the War Department.

Under these circumstances, and with the knowledge of the action of the general commanding, upon the communication of Lieutenant De Hart for the commander of Fort Vancouver to again present them in the light of an appeal to the general-in-chief, before an investigation has been held upon the conduct for which Lieutenant De Hart has been placed in arrest, is, in the opinion of the general commanding the department, an encouragement offered to insubordination and disrespect by the commanding officer of Fort Vancouver.

No communication will be sent to these headquarters from Lieutenant De Hart, unless permission is given, until the decision of the War Department in his case is made known.

I am, colonel, very respectfully, your obedient servant,

A. PLEASANTON,

Captain 2d dragoons, A. Asst. Adj. General.

Lieutenant Colonel THOMPSON MORRIS,

4th Infantry, Commanding, Fort Vancouver, W. T.

49 k.

ADJUTANT'S OFFICE, FORT VANCOUVER, W. T.,
August 5, 1859.

SIR: I am directed by the lieutenant colonel commanding this post to say that your appeal to the headquarters of the army, with accompanying documents, forwarded by him yesterday through department headquarters were returned to him last evening.

I am further directed by him to say that, for reasons contained in the communication of the acting assistant adjutant general returning the papers, he does not think it proper for him to forward them to General Scott at this time; and by his order I herewith return them to you.

I am, sir, very respectfully, your obedient servant,

HENRY C. HOGES,

1st Lieut. & Adj. 4th Infantry, P. Adjutant.

Lieutenant H. V. DE HART,

3d Artillery, Fort Vancouver, W. T.

50. *Lieutenant De Hart to General Scott.*

FORT VANCOUVER, W. T., August 5, 1859.

COLONEL: Having yesterday forwarded an appeal to the headquarters of the army through the commanding officer of this post, and he having forwarded it to the headquarters of this department for transmittal, from whence it has been returned to him, and from him to me, I now have the honor to forward it myself, with the accompanying documents, direct to the headquarters of the army, this being my last resource and only means of getting it to those headquarters.

Together with the other papers already mentioned in my appeal to you, you will find a copy of the letter from the adjutant's office at this post, returning my appeal to me.

I have the honor to be, sir, very respectfully, your obedient servant,

H. V. DE HART,

First Lieutenant Third Infantry.

Colonel THOMAS,

Assistant Adjutant General, U. S. A.

P. S.—I also send a copy of the letter sent to the commanding officer of the post, with my appeal returned, furnished me by Colonel T. Morris, fourth infantry.

51. *General Harney to General Scott.*

HEADQUARTERS DEPARTMENT OF OREGON,
Fort Vancouver, W. T., August 5, 1859.

COLONEL: I have the honor to acknowledge the receipt of General Orders No. 13 of this year from the War Department, and, in obedience to the requirements of paragraph 13, request the authority of the War Department for the completion of the temporary buildings already commenced by my orders at Fort Vancouver, at San Juan island and Colville depot, for the shelter and accommodation of the troops at those places.

These constructions are necessary and essential for the health and efficiency of the men and officers of these different commands. During the Indian troubles of last year a greater number of troops were thrown into this department than could be quartered, and from necessity a part of the troops were in cantonments and tents all winter. As soon as the spring opened arrangements were made to provide against this contingency the coming winter, and, at the same time, place the troops in the most accessible and effective positions, with due regard to the economy of the service. These arrangements are now being executed, and, if suspended at this time, will cause much suffering and sickness in my command besides impairing its efficiency. As the number of troops in this department cannot be reduced without manifest injury to many important public interests, I earnestly recom-

Scott.

August 5, 1859.

Appeal to the head-
quarter of this post, and
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him, and from him
self, with the accom-
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those headquarters.
I am in my appeal to
the adjutant's office at

your obedient servant,
DE HART,
Third Infantry.

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Scott.

OF OREGON,
August 5, 1859.

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ment to the favorable consideration of the War Department the ne-
cessities of the buildings I have ordered.

In consequence of the remoteness of this command and the lapse of
time required to communicate with the department, in connexion with
imperious requirements for these buildings, I shall continue their con-
struction until the decision of the department is made known. I re-
spectfully call the attention of the department to the large number of
troops of my command employed in protecting and assisting in the
various civil duties ordered by Congress in this section of the country.

Six companies of foot troops are engaged as escorts to the northwest
boundary commission in running the line of the 49th parallel of lati-
tude, defining the boundary between the United States and the Brit-
ish possessions, and one hundred men with three officers are with the
expedition constructing a wagon road from Fort Walla-Walla to Fort
Benton.

These are national works of the first importance, but the expenses
attending their prosecution are very heavy, and, although a very great
portion of these expenses are borne by the military bureau of this de-
partment, they are not incident to the ordinary requirements of the
army, and should not appear as belonging to the proper maintenance
of this command.

I will mention one item in illustration. The transportation for the
troops with the northwest boundary commission, from the nature of
the country, can only be furnished by pack-mules, and, from the want
of any subsistence on the route of the 49th parallel, forage for each
animal has to be transported along the route, which is exceedingly
mountainous, covered by the most dense forests. When, therefore,
it is considered a mule can only transport, by packing, a supply of
forage to subsist upon for the short time of two weeks, it is easy to
perceive how expensive this kind of transportation becomes.

Aside from such extraordinary but necessary expenses, the economy
and cost of the military service in this department will compare favor-
ably with the same in other sections of the country.

I am, colonel, very respectfully, your obedient servant,

WM. S. HARNEY,

Brigadier General, Commanding.

Colonel S. COOPER,

Adjutant General, Washington, D. C.

52. The Adjutant General to General Harney.

ADJUTANT GENERAL'S OFFICE,

Washington, August 10, 1859.

SIR: Your letters of the 16th and 20th April to the general-in-chief,
with Captain Ingall's charges against Major Wyse, have been laid
before the Secretary of War. I am instructed to communicate to you
his decision.

The acts alleged under the first charge are sufficiently "punishable
by the known laws of the land," (33d Article of War,) and appear to

have been already so punished by such sentence as the competent tribunal thought fit; and no further complaint appears to be made "by or on behalf of the party or parties injured." The department, therefore, dismisses the charge.

The second charge is that Major Wyse, in command of Fort Cascades, disobeyed an order from Colonel Morris, commanding Fort Vancouver. It is not seen what authority Colonel Morris had to give the order, but if Major Wyse did disobey any lawful order of his, it was his duty to prefer the charge. The department, therefore, dismiss this charge.

The department notices the circumstances under which these charges are now exhibited, and the length of time that had elapsed, fifteen and seventeen months respectively.

The Secretary desires that you invite Major Wyse to make to you his explanation and answer to the three other charges; that is to say, of misapplying the public funds, of rendering a false voucher for forage, and for transporting his wife as a laundress, and if it be not satisfactory to you, that you appoint a court-martial to try the charges.

The "doubt" whether the charges could be sustained by proof was not a sufficient reason for denying to Major Wyse the investigation he demanded.

The charges against Major Wyse are herewith enclosed.

I am, sir, very respectfully, your obedient servant,

E. D. TOWNSEND,

Assistant Adjutant General.

Brigadier General W. S. HARNEY,

U. S. A., Com'd'g Dept. of Oregon, Fort Vancouver, W. T.

53. *The Adjutant General to General Harney.*

ADJUTANT GENERAL'S OFFICE,

Washington, August 10, 1859.

SIR: Your letter of April 30, in relation to the proceedings of the garrison court-martial in the trial of private Valentine Phelan, of company "C," 4th infantry, has been submitted to the Secretary of War, and your action in the case is confirmed by him.

In the case of private John Madden, of company "E," 4th infantry, also submitted with your letter of April 4, I am directed to communicate the following decision:

Your order arresting the sentence is confirmed for its uncertainty and illegality in adjudging the party to be imprisoned until he should do an act the court could not order. His making restitution might be considered by the proper authority on a question of pardon.

War Department order No. 2, of 1857, does not "prohibit restitution of stolen property or money." It says nothing about it. In case property or money stolen is brought into court and identified, the owner may claim it, and the court will order it to be restored to him. But, still, trial by a court-martial is a criminal proceeding.

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VNSEND,
Adjutant General.

ancouver, W. T.

Harney.

RAL'S OFFICE,
August 16, 1859.

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action to recover debt, or sounding in damage for injury ; and in this regard the order No. 2 and the law make no distinction in favor of soldiers over other persons who have suffered loss or injury.

The 37th article of war, that a garrison court-martial shall not im-
prison nor put to hard labor for a longer time than one month, pro-
vides for the penalty for one offence. The settled usage of military
courts to adjudge one sentence for all the offences tried upon one
arraignment ought, perhaps, not to be disturbed. But distinct offences
on separate trials, by the same or by different garrison courts, may
each receive its appropriate penalty.

I am, sir, very respectfully, your obedient servant,

E. D. TOWNSEND,
Assistant Adjutant General.

Brigadier General W. S. HARNEY,
*U. S. Army, Commanding Department of Oregon,
Fort Vancouver, W. T.*

54. General Harney to General Scott.

HEAD QUARTERS DEPARTMENT OF OREGON,
Fort Vancouver, W. T., August 15, 1859.

SIR: I have the honor to enclose, for the information of the general-
in-chief, certain reports from Captains Ingalls and Kirkham, assistant
quartermasters of this command, on the subject of the great deficien-
cies in the supplies of clothing required in this department, and sub-
mitting several excellent suggestions in reference to the system which
should be adopted to prevent any such occurrence for the future.

In my report to the general-in-chief of November 22, 1858, and Feb-
ruary 7, 1859, the special attention of the bureau of supply was asked
upon the absolute necessity of transmitting the supplies for this depart-
ment to depots at this point as early in the year as practicable, and
never later than July, to enable the staff department here to supply
the interior posts before the winter rains have rendered the roads diffi-
cult of travel.

I have now to report to the general-in-chief that, in consequence of
a want of proper attention in this matter somewhere, my command
has not been supplied with clothing as the regulations require. The
neglect does not rest in this department, for the proper requisitions
have been forwarded time and again.

Such clothing, shoes, and stockings, as could be bought have, from
time to time, been procured ; but these have been so inferior a general
complaint has been made against them.

Many of the enlisted men have not had a stocking to wear for over
one year, some were months without shoes, and others had no overalls.

From the lateness of the season and the non-arrival of supplies up
to this date I very much fear the commands at Colville and Walla-
Walla, and the troops with Lieutenant Mullan, will be in much suf-
fering this winter for the want of proper clothing. This will include

some ten companies, more than half of whom suffered from the deficiency of clothing last winter.

I again request this subject may be brought to the early notice of the War Department that some remedy to this embarrassment of the service may be effected, and I respectfully repeat my former recommendation that the supplies should be shipped direct to this place from New York.

The suggestion of Captains Ingalls and Kirkham, on the use of horses in this department as well as mules in the service of the quartermaster duties, I approve and recommend for the following reasons, viz: mules cannot be obtained in this country except at exorbitant prices, and then only a few are in the market. Horses are very cheap, this being a horse country, where they are raised in numbers by the Indians.

These horses are not suitable for cavalry or artillery, but for the ordinary purposes of herding, expresses, &c. They cannot be replaced here by mules except at great cost to the government, for the mules could not be obtained nearer than Missouri.

I will retain, therefore, the horses now in use in this department until the condition of this country with respect to mules has been reported to the War Department and its decision made known. In the meantime I beg to assure the general-in-chief to depend solely on mules in the organization of an expedition in this command would only be signaling its failure.

I am, sir, very respectfully, your obedient servant,

W. S. HARNEY,

Brigadier General Commanding.

The ASSISTANT ADJUTANT GENERAL,

Headquarters of the Army, New York City.

54 a.

ASSISTANT QUARTERMASTER'S OFFICE,
Fort Walla-Walla, W. T., August 4, 1859.

CAPTAIN: I have the honor to report that the instructions from department headquarters directing me to forward eight months' supply to the escort of Lieutenant Mullan has been received. These supplies will be forwarded so as to reach the Cœur d'Aléne Mission in ample time. I would, however, report a deficiency of clothing at my post, and it seems for some reason to be always behind hand. During my service at this post I have rarely ever had a full supply for the demands made upon me. Some articles, such as stockings, bootees, drawers, and overalls, I have been without for months. Last winter, although I have and protracted one, I had not half enough stockings, shoes, and trowsers for issue, and the consequence was suffering among the command, which numbered six hundred enlisted men. I have, I believe, made my requisitions at the proper time, but it appears many of the articles are not "on the coast."

There are to-day companies at present with the northwest boundary commission, and one hundred men with Lieutenant Mullan, all of whom will winter near the forty-ninth parallel, and their winter's supply of clothing ought to be at Walla-Walla at a time not later than September 1. I have so written Captain Ingalls, depot quartermaster, and he replies that he will forward it as soon as he gets it. I report these facts so the remedy may be applied.

I am, respectfully, your most obedient servant,

R. W. KIRKHAM,

Captain and Assistant Quartermaster.

Captain A. PLEASANTON,

A. A. Adj't Gen'l, headquarters Dep't of Oregon.

54 b.

FORT VANCOUVER, W. T., August 15, 1859.

CAPTAIN: Having received General Order No. 13, of June 17, directing all horses of the quartermaster's department not fit for mounted service to be sold, and their places supplied by mules, I would respectfully report that I have in my charge at Fort Walla-Walla about one hundred horses, most if not all of which are condemned dragoon horses or Indian ponies. Not one of the number has been bought since I have been at the post. From the large number of trains I have running between old and new Fort Walla-Walla up to Colville and to the Cœur d'Alène Mission, I must necessarily have a large number of saddle animals for packers, herdors, expresses, &c., to ride, sometimes as many as fifty at a time. It would be utterly impossible for me to replace these by mules, for the mules are not in the department; and whilst mules would cost from one hundred to one hundred and fifty dollars a head, these Indian horses can be purchased for thirty. Ordinarily the cost of keeping these horses is nothing, for I seldom forage them, letting them depend upon the bunch grass of the country. I would ask authority to retain as many of these horses as are actually in use, as it would be a serious injury to the service to dispose of them.

I am, very respectfully, your most obedient servant,

R. W. KIRKHAM,

Captain and Assistant Quartermaster.

Captain A. PLEASANTON,

A. A. A. Gen'l, headquarters Dep't of Oregon.

The clothing, subsistence, &c., sent to this department from the Atlantic States should *always* be forwarded by sea, direct to this depot, to reach here early in June, certainly not later than July, in order to give time to make the distribution to the dependent commands during the dry season, and before the cold, rainy weather sets in. I am of the opinion that the clothing, long since due, should have been shipped

direct to this depot instead of by way of San Francisco, and at least two or three months earlier than was the case this year. There are now many vessels that trade to this Territory from the Atlantic States. A ship can make the trip from New York harbor, for instance, to this river in about the same time and at nearly the same rate of pay as to San Francisco. Nothing should be sent by way of the latter port that is intended for this department. I have to request that the general will make such representations as will cause our supplies to arrive here at the proper time hereafter.

My estimates for clothing for the troops in this department for the year commencing April 1, 1860, is herewith enclosed, for the revision and approval of the general commanding. I wish to forward them by the next steamer.

I am, very respectfully, your most obedient servant,

RUFUS INGALLS,

Captain and Assistant Quartermaster.

Captain A. PLEASANTON,

2d Dragoons, A. A. Adj't Gen'l, present.

54 c.

OFFICE OF ASSISTANT QUARTERMASTER,
Fort Vancouver, W. T., August 15, 1859.

CAPTAIN: I have the honor to report to the general commanding this department that I have recently received a copy of General Orders No. 13, War Department, June 17, 1859, and that I have taken measures to comply with all its requirements except in the latter part of paragraph 12. I would respectfully represent to the general that there are a large number of common horses and ponies *unfit* for transfer to any branch of the mounted service, on hand in the quartermaster's department within the department of Oregon. These animals cannot be required in the mounted service, nor can they be sold without great sacrifice to the government, except at certain times and in small numbers. They will answer, however, for all the ordinary uses in the quartermaster's department in place of mules. I would therefore recommend that all the horses now on hand in the quartermaster's department, *decided* to be *suitable* for mounted service, be transferred to the dragoons and the light battery, and that the balance be held in the quartermaster's department for general service, until they can be otherwise disposed of to the public advantage or until further orders from the War Department. It will not be necessary to *buy any more*, and in a short time those on hand will gradually become few in number.

I beg also to represent to the general that the clothing now due the troops in this department has not yet arrived; that if it does not soon come to hand the distant posts and the dependent commands in the field cannot receive their winters supply in season to meet their most imperative wants. There has already been much suffering by the troops for want of stockings, shoes, pants, &c., and in several cases of

emergency clothing has been purchased, but was of a poor quality, unsuited to the service and expensive. The estimates for a full supply for all the troops in this department were duly forwarded with recommendations by the general and myself, *how and when* to forward it to this depot.

55. *Colonel Merchant to the Adjutant General.*

HEADQUARTERS THIRD REGIMENT ARTILLERY,
Presidio of San Francisco, California, August 17, 1859.

SIR: I have the honor to furnish, for the information of the adjutant general, the following extracts from the monthly returns of the companies of the regiment stationed at Fort Vancouver for the month of July, 1859.

In the column of "absent enlisted men, accounted for by name," the commander of company "A" reports "one private, Robert Conway, on furlough since 25th of July, 1859, until further orders, per letter from headquarters, Fort Vancouver, W. T., July 24, 1859."

The commander of company "B" reports privates Cassidy and Frainee, "absent with leave since July 23d and 25th, on furlough by order of General Harney, at work on private farm or residence of General Harney." The commander of company "D" reports privates Warkman and Gleason on furlough in vicinity of post, the former since June 17, 1859, the latter since June 25, 1859, reported on furlough pursuant to instructions from department of Oregon, dated July 23, 1859, "at work on private farm or residence of General Harney."

The commander of company "M" reports "privates Covey and O'Dette on furlough, the former from June 11, 1859, until further orders, the latter from June 17, 1859, until further orders, per letter dated Adjutant's office, Fort Vancouver, W. T., July 23, 1859. Privates Covey and O'Dette were ordered to be placed on furlough by the commanding officer pursuant to special orders received by him from headquarters department of Oregon, dated July 23, 1859."

In addition, I respectfully enclose herewith a letter from the commander of "D" company, enclosing his return and calling my attention to the *remarks* which I have herein taken from his return.

These reports being irregular, I forward this information at this time, since the regimental returns on which the same remarks will be transmitted, will not be prepared for two months or more.

I am, sir, very respectfully, your obedient servant,

CHAS. S. MERCHANT,
Lieutenant Colonel 3d Artillery.

Colonel S. COOPER,
Adjutant General U. S. Army, Washington, D. C.

55 a.

FORT VANCOUVER, *August 1, 1859.*

SIR: Accompanying please find returns of companies "B" and "D," 3d artillery, for month of July, 1859.

I desire to call the attention of the lieutenant colonel commanding the regiment, to the remarks opposite the names of men furloughed by *ex post facto* order of the general commanding this department, which makes the monthly return of "D" company, and last muster roll, incorrect.

I am, sir, respectfully, your obedient servant,

GEORGE IHRIF,

First Lieutenant, 3d Artillery, Commanding Companies.

First Lieut. JNO. C. CHANDLER,

Regt. Adj., 3d artillery, Presidio San Francisco.

56. *General Harney to the Adjutant General.*

HEADQUARTERS DEPARTMENT OF OREGON,

Fort Vancouver, W. T., August 30, 1859.

COLONEL: I have the honor to forward, for the use of the War Department, several very valuable maps of portions of this department, about which so little has heretofore been known.

These maps have been prepared by Captain A. Pleasonton, 2d dragoons, acting assistant adjutant general, aside from his appropriate duties, and it is with high satisfaction that I make the most honorable mention of the useful and intelligent exertions Captain Pleasonton displays at all times in whatever duties the service may require of him.

The correctness of these maps is established by the testimony of the Reverend Father De Smet, who has been engaged at different times in the past seventeen years in charitable missions to the various nations of Indians inhabiting the countries delineated in these maps.

The reverend father has been very kind in affording Captain Pleasonton every facility of obtaining information of the subjects described, not only from his notes and maps, but in repeated conversations; and the generous manner in which he places at the disposition of the government the results of his labors for so many successive years, is entitled to a much higher recognition of his merit than I can bestow.

I respectfully recommend that these maps be published for the information of the army and the country generally.

I am, colonel, very respectfully, your obedient servant,

WM. S. HARNEY,

Brigadier General, Commanding.

Colonel S. COOPER,

Adjutant General, Washington City, D. C.

57. *General Harney to the Adjutant General.*

HEADQUARTERS DEPARTMENT OF OREGON,
Fort Vancouver, W. T., September 2, 1859.

COLONEL: Since my communication of July 20, of this year, requesting three hundred recruits to be sent to this command to fill up the vacancies due to the ordinary casualties of service, I have been informed that the term of service of the enlisted men of the ninth regiment of infantry expires next spring—that regiment having been organized in 1855. Few of these men will re-enlist in consequence of the great inducements held out in other pursuits of life in this country. The losses, therefore, to the several companies of this regiment will average thirty men to each, making a loss of three hundred men for the regiment; to this number add a loss of at least fifty men for the other arms of service by the first of next March, and you will see the necessity for this increased number of recruits (three hundred and fifty) for this command by the beginning of next spring, making the total number of recruits required six hundred and fifty men.

I am, Colonel, very respectfully, your obedient servant,
WM. S. HARNEY,
Brigadier General, Commanding.

Colonel S. COOPER,
Adjutant General U. S. Army, Washington City, D. C.

58. *General Harney to General Scott.*

HEADQUARTERS DEPARTMENT OF OREGON,
Fort Vancouver, W. T., September 5, 1859.

SIR: I have the honor to acknowledge the receipt of an extract from Special Orders No. 72, of this year, from the headquarters of the army, directing two companies of the fourth infantry to be sent to San Francisco for duty in the department of California.

I desire to report, for the information of the general-in-chief, that the establishment of nine companies of my command upon San Juan island, made necessary by the conduct of the British authorities of Vancouver's island, has created a necessity for more troops in this department, the post of Vancouver being at this time without a single organized company forming its garrison.

The companies of the fourth infantry in this department are stationed as follows: On San Juan island three companies that cannot be spared; one company at Fort Steilacoom, in charge of a large amount of ammunition and stores; there is no disposable company to replace this. At Fort Yamhill, one company, in charge of Indian reservation; at Fort Hoskins, two companies, in charge of Indian reservations; and, being in the neighborhood of the northern Oregon Indians that are now hostile, this command cannot be reduced without exciting great alarm among the people of that region, with danger of the communication to California by land being interrupted.

In view of these facts, I deem it my duty to the service here to defer sending the two companies of the fourth infantry to San Francisco until the general-in-chief has considered the necessities set forth in this communication. Since the occupation of San Juan island the northern Indians have made two attacks upon our people on the sound, and I am inclined to believe they will continue to do so until our affairs have been properly arranged with the British government in reference to the islands of Puget's Sound. To keep these Indians in check, the present force on the sound should not be reduced.

I am, sir, very respectfully, your obedient servant,
W. S. HARNEY,
Brigadier General, Commanding.
 ASSISTANT ADJUTANT GENERAL,
Headquarters of the Army, New York City.

59. *General Harney to General Scott.*

HEADQUARTERS DEPARTMENT OF OREGON,
Fort Vancouver, W. T., September 15, 1859.

SIR: I have the honor of calling the attention of the general-in-chief and the War Department to the pressing necessities for military roads in the country embraced by this command, and especially that portion of it adjacent to Puget's Sound. The immense forests, numerous streams, and different ranges of mountains on this coast require time, science, and money in removing or avoiding their obstructions to obtain certain and speedy passages of travel through them. I therefore submit the following recommendations for the construction of certain military roads to enable the department to ask of Congress at an early day the necessary appropriations to establish the works required:

First. The road of greatest importance is one required from Fort Vancouver to Fort Steilacoom on Puget's Sound. Our communication with the sound is now done by sea, there being no road by which troops and supplies can be transported. I therefore propose that the present military road from Fort Steilacoom to the head of the Cowlitz river be continued to Monticello, near the Columbia river, and at the same time a road be constructed from Fort Vancouver to the head of the Cowlitz river. The continuation of the first-named road to Monticello will cost \$20,000.

The second road from Vancouver will be \$40,000 more.

Second. The road from Fort Vancouver to the Dalles. At present this distance is travelled by water, there being no practicable road. The heavy expenses the government has been obliged to pay for transportation on this route necessitate the construction of this road, or at least a practicable dragoon trail. I think \$60,000 would construct the road required; and as the Columbia river is the main artery of

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travel to and from the interior, this road would be a public benefit to the citizens of the country.

Third. In my report of the 19th of July last to the general-in-chief I placed before him the necessity and importance of permanent fortifications on Puget's Sound to protect and defend the inhabitants of that section of the country from an invading enemy. Such positions, as well as the inhabitants themselves, if left isolated, without means of communication to the interior, would only present points inviting an attack. I therefore urge the construction of a military road from Port Townsend, opposite San Juan island, to Olympia, at the head of the sound, and from thence to Astoria, near the mouth of the Columbia river. This road can be made for \$75,000. In connexion with this road, the military road now in course of construction should be completed, the estimates for which are \$45,000, between Fort Steilacoom and Bellingham.

Fourth. Another important military road is required from *Seattle*, on Puget's Sound, to connect *via* the Snoqualmoo Pass with the Colville and Fort Walla-Walla road, and also with the Fort Benton and Walla-Walla road. This road would permit the concentration of the troops at the interior posts upon Puget's Sound direct, without the expense and delay of the transportation by the roundabout way of the Columbia river. Emigrants from the east, whose destination would be Puget's Sound, could be saved much suffering, expense, delay, and trouble by the assistance of such a route. Cost, \$75,000.

Fifth. Another important military road, connecting this command with the line of communication to the east, has been suggested to me by Mr. F. W. Lander, civil engineer, who is, I believe, now employed in the government service. This gentleman, who has had great experience of travel in the great wilderness between the western States and the Pacific coast, informs me that a good practicable road can be laid out from the South Pass of the Rocky mountains, on the west side of the Wind River mountains, to the head of Salmon river, down that river to the Snake, thence to Fort Walla-Walla. This road will require but little work, the country being naturally good for roads. The remoteness of this command from the seat of government, its present isolated position, the emergencies that are constantly arising demanding immediate services of troops, require an increase of force of at least one regiment in this department; and I respectfully suggest, in case a regiment of infantry can be spared from the department of Utah, that one be designated to join this command next spring. A battalion of at least four companies to be directed to explore this route to Walla-Walla by the Wind River mountains. This battalion, by being stationed midway between Utah and Walla-Walla on this route, could be supplied from Walla-Walla at a third of the expense required to maintain it in Utah, and at the same time would be available for service in Utah on any emergency requiring its presence.

Sixth. It has frequently occurred to me that the government should make some provision to facilitate the travel of emigrants from the western States to California, Oregon, and Washington Territories. The great distance these people are compelled to pass over without being able to procure any subsistence obliges them to start with large

trains loaded with provisions to support them on the route. This necessity incurs a very heavy expenditure of money and means, which many of these persons can but ill afford, and they not unfrequently arrive at the end of their journey late in the season with nothing to maintain themselves through the winter.

To obviate these embarrassments, I would suggest that Congress be requested to increase the appropriation for the subsistence department of the army sufficiently to enable a supply of provisions to be placed at each of the military posts on the great routes of travel across the continent, to be sold to emigrants at cost price in such quantities as will relieve their necessities. The government will not lose by this arrangement, and the emigrants will be greatly benefited.

The present laws permit provisions to be given to indigent Indians, and I think they should be so extended as to cover the pressing wants of our own people.

I am, sir, very respectfully, your obedient servant,

W. S. HARNEY,

Brigadier General, Commanding.

ASSISTANT ADJUTANT GENERAL,

Head-quarters of the Army, New York City.

60. *The Adjutant General to General Harney.*

ADJUTANT GENERAL'S OFFICE,

Washington, September 17, 1859.

GENERAL: Your letter of the 23d of April last, enclosing Mr. Warbass's complaint against First Lieutenant John C. Howard, 9th infantry, has been laid before the Secretary of War, who orders that you inquire into the matter complained of by Mr. Warbass, and if it appears that the complaint is well founded, that you appoint a general court-martial for the trial of Lieutenant Howard, on charges to be drawn up under your direction.

Mr. Warbass's letter is herewith returned.

Very respectfully, your obedient servant,

E. D. TOWNSEND,

Assistant Adjutant General.

Brigadier General W. S. HARNEY, U. S. A.,

Commanding Department of Oregon, Fort Vancouver, W. T.

61. *Captain Wallen to General Harney.*

HEADQUARTERS WAGON ROAD EXPEDITION,

Camp Floyd, U. T., August 16, 1859.

CAPTAIN: I have the honor to report my arrival at this place yesterday with a small escort of twenty dragoons.

I left my animals on Raft creek, to recruit for three weeks, until my return, when I propose to start back.

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D EXPEDITION,
, August 16, 1859.
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The emigration to Oregon being very large, and the Indians trouble-
some, I shall remain out a month longer than contemplated, or until
about the 1st of November.

No trouble has as yet occurred on the Oregon route, but among
those going to California several murders have been committed by the
Indians.

There are three commands in the field from this post. The one
under Lieutenant Gay had a fight three or four days since, killing
twenty Indians and recovering several of the animals stolen from the
emigrants.

I have made several important changes in the route over which I
have passed, saving in one place over a hundred miles, all of which
will be reported upon at length upon my return.

I hope the general commanding will approve of my staying out
longer than was proposed, as, in my judgment, the good of the service
requires that we remain in the field until all the emigration for the
department of Oregon has safely passed the hostile Indians.

I am, captain, very respectfully, your obedient servant,

H. D. WALLEN,

Captain 4th Infantry, Commanding Expedition.

Captain A. PLEASANTON,

2d dragons, Acting Assistant Adjutant General,

Headquarters Dep't of Oregon, Fort Vancouver, W. T.

[Endorsement.]

HEADQUARTERS DEPARTMENT OF OREGON,

Fort Vancouver, W. T., September 19, 1859.

Respectfully forwarded for the information of the general-in-chief.
This report is very satisfactory, in showing the route has been greatly
shortened by Captain Wallen. The distance over this route will not
be much over six hundred miles—nearly three hundred miles less than
the route by the Walla-Walla. Captain Wallen's design of return-
ing in rear of the emigrants, to protect them from the Indians, is
approved.

W. S. HARNEY,

Brigadier General, Commanding.

62. General Harney to the Adjutant General.

HEADQUARTERS DEPARTMENT OF OREGON,

Fort Vancouver, W. T., September 19, 1859.

ORDER: By Special Orders No. 90 from these headquarters of this
year, a general court-martial was convened for the trial of First Lieut.
John C. Howard, of the 9th infantry, who was charged with the most
aggravated conduct in drawing a pistol on his commanding officer and
threatening to shoot him. Lieutenant Howard was properly arrested,
as will be seen by the enclosed communication which he received, but

which he has not obeyed, as shown by the enclosed report of Captain Judah, of the 4th infantry, commanding Fort Steilacoom. His present whereabouts is not known. I therefore respectfully recommend that this officer be dropped from the rolls of the army.

I am, colonel, very respectfully, your obedient servant,
WM. S. HARNEY,
Brigadier General, Commanding.
Colonel S. COOPER, *Adjt. Gen., Washington City, D. C.*

62 a.

HEADQUARTERS DEPARTMENT OF OREGON,
Fort Vancouver, W. T., August 13, 1859.

SIR: The general commanding instructs you to repair without delay to Fort Steilacoom, W. T., and report yourself to the commanding officer of that post in arrest. The boundaries of the military reserve at that place are named as the limits of your arrest by the general commanding.

I am, sir, very respectfully, your obedient servant,
A. PLEASANTON,
Captain 2d Dragoons, Assist. Adjt. Gen.
First Lieut. J. C. HOWARD,
9th Infantry, Fort Vancouver, W. T.

62 b.

FORT STEILACOOM, W. T., *September 12, 1859.*

SIR: I have the honor to report that First Lieutenant John C. Howard, 9th infantry, ordered to appear before the court-martial now in session at the island of San Juan, is not, nor has been, at this post.

From reports entitled to credence I am led to believe that Lieutenant Howard has proceeded without authority to the Atlantic States.

Very respectfully, your obedient servant,
H. M. JUDAH,
Captain 4th Infantry, Commanding Post.
Captain A. PLEASANTON, U. S. A.,
Act. Assist. Adjt. Gen., Department of Oregon,
Fort Vancouver, W. T.

63. *The Adjutant General to General Harney.*

ADJUTANT GENERAL'S OFFICE,
Washington, October 4, 1859.

GENERAL: Your letter of the 15th of August last to the assistant adjutant general at the headquarters of the army, transmitting reports from Captains Ingalls and Kirkham, assistant quartermasters, respect-

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ERAL'S OFFICE,
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ing deficiencies in certain articles of supply required to be provided by
the quartermaster's department, has been laid before the Acting Sec-
retary of War, who has endorsed it as follows :

"If there are not mules enough in the department to supply the
allowance authorized in General Orders No. 13, the deficiency may be
supplied by Indian horses. In no other manner, and under no other
circumstances, will the requirements in regard to the use of horses in
the quartermaster's department be deviated from; and any such horses
in that department will be issued for cavalry service whenever they
are found by a cavalry officer to be suitable.

"The allowance of means of transportation, authorized in the gen-
eral orders alluded to, at any post, will not be increased without special
authority obtained through the quartermaster general, on a report
showing the necessity therefor.

"W. R. DRINKARD,
"Acting Secretary of War.

"WAR DEPARTMENT, October 1, 1859."

I have the honor to be, general, very respectfully, your obedient
servant,

E. D. TOWNSEND,
Assistant Adjutant General.

Brig. Gen. W. S. HARNEY, U. S. A.,
Commanding Department of Oregon,
Fort Vancouver, W. T.

64. General Harney to General Scott.

HEADQUARTERS DEPARTMENT OF OREGON,
Fort Vancouver, W. T., October 6, 1859.

SIR: I have the honor to enclose a copy of a communication from
Captain H. D. Wallen, 4th infantry, reporting his return from the
Great Salt lake as far as the Grand Ronde; also a copy of a commu-
nication from some emigrants, expressing their acknowledgments for
the protection which has been extended to them through the hostile
Indian country in their route.

The report of Captain Wallen is highly satisfactory, in showing that
loaded wagons can pass from the Columbia river to the Great Salt
lake in twenty-nine days, and that this distance is susceptible of being
greatly reduced by navigating with steamers the Snake river from
Burnt river to within a short distance of Salmon falls.

When Captain Wallen submits his detailed report it will be duly
sawarded. In the meantime I again request the authority to estab-
lish a post of four companies in the vicinity of the mouth of Burnt
river, as it will serve to protect the emigration on this route, so much
needed at this time, besides proving a valuable depot in case it is con-
sidered expedient to attempt the navigation of Snake river at any future

period. The troops for this position should be *en route* by the first of April next.

I am, sir, very respectfully, your obedient servant,

W. S. HARNEY,
Brigadier General, Commanding.

ASSISTANT ADJUTANT GENERAL,
Headquarters of the Army, New York City.

64 a.

HEADQUARTERS WAGON ROAD EXPEDITION,
Camp at the Grand Ronde, October 1, 1859.

CAPTAIN: I have the honor to report my arrival at this camp yesterday, September 30. I have made the trip with loaded wagons from the ferry on Bear river, the entrance to the valley of the Great Salt lake, in twenty-four travelling days. My present camp is distant from the Umatilla five days, so that the entire distance from the valley of the Great Salt lake to navigation on the Columbia river is twenty-nine days with loaded wagons; measured distance five hundred and thirty-two miles. I may be five miles out of the way, as I have not yet measured the distance from this to the mouth of the Umatilla.

From Burnt river to within twenty miles of Salmon falls, a distance of one hundred and eighty-four miles, Snake river can be navigated by steamers as large as those used on the Columbia; the land travel then can be reduced, by this route, to three hundred and forty-eight miles, with grass, water, and wood at proper intervals for encampments. My average travel has been eighteen and a half miles per day.

On my arrival at the Umatilla I shall detach Lieutenant Sweitzer, with the dragoons, to his post, Walla-Walla, and move down to the Dalles by easy marches, to save the animals as much as possible. The horses are looking very well indeed, considering that a large proportion of them will have travelled about nineteen hundred miles on their return to Walla-Walla; if required, they could have marched still further. I attribute their present condition to Lieutenant Sweitzer's great care and management. The mules are looking as well as could be expected after the long trip and the condition that some of them were in when we started from the Dalles. I was obliged to encamp nine days at the Owyhee, and send the dragoons back sixty miles to bring up some emigrants who sent forward to inform me that they were out of animals and provisions. I have supplied these families with animals and food since, as they were entirely destitute, and I deemed it my duty to do all in my power to help them to the settlements. But for our being out on the road these nine men, four women, and fifteen children must have perished. They are grateful to the general for all this, as the enclosed letter will show.

I am happy to inform the general that we have had very little sickness since we have been out; that the men of the command have behaved in the most exemplary manner, having been sober, cheerful,

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EXPEDITION,
October 1, 1859.

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They are grateful ill show. had very little s the command ex-reen sober, com.

and willing during the entire trip; and that no animals have been stolen by the hostile Indians since we left Fort Dalles.

We have seen quite a number of Indians, and I am more than convinced that the safety of the emigration has been due entirely to the presence of troor along the route. The Indians seem to have been troublesome on both the Oregon and California roads; on the latter several lives have been lost, and quite a number of emigrants wounded; on the Oregon route I can hear of but one man being wounded, this near the Malheur; but I have seen no person who confirms the report.

In my official report, in reference to the exploration, all will be mentioned as to the country passed over, distances, &c.

It will be necessary for Lieutenant Dixon and myself to be at the same station until our maps and reports are completed. I therefore respectfully ask that he may be ordered to remain at whatever post may be my station on my return.

I have the honor to be, captain, very respectfully, your ob't servant,

H. D. WALLEN,

Captain 4th Infantry, Commanding Expedition.

Captain A. PLEASANTON,

Second Dragoons, Act. Asst. Adjt. General,

Headquarters Department of Oregon, Fort Vancouver, W. T.

64 b.

GRANDE RONDE, OREGON, September 30, 1859.

SIR: We desire, through you, to express our acknowledgments to General Harney, commanding in the State of Oregon and in Washington Territory, for the protection extended by him to the large emigration that has just passed through a hostile Indian country. The Indians had avowed their determination not to allow the emigrants to pass through without committing acts of violence, but the general's troops were ready to meet us hundreds of miles from the Columbia river, and protect the lives of our wives and children.

We cannot take leave of you, captain, without presenting our thanks for your uniform kindness to us along the route, for supplying provisions and transportation to those families who were destitute, and for waiting patiently with us on the road until all have passed safely into the settlements. For these and the many other acts of courtesy from yourself and the officers and soldiers under your command, be pleased to accept our gratitude.

NICOLAS DUPUIS.

WILSON SMITH.

JACOB GOYETTE.

JOHN J. NYE.

JOSEPH HEMIOT.

S. C. DORO.

FRANCIS GOYETTE.

E. WARD.

NICOLAS DUPUIS, JR.

Captain WALLEN,

U. S. Army, commanding troops on Snake river.

65. *General Harney to General Scott.*

HEADQUARTERS DEPARTMENT OF OREGON,
Fort Vancouver, W. T., November 12, 1859.

SIR: I have the honor to enclose, for the information of the general-in-chief, an interesting communication from the Reverend Father D. Smet, reporting his arrival in St. Louis, in obedience to the requirements of Special Orders No. 59, from these headquarters, of this year. In connexion with this report, I would again call the attention of the government to the important services the Reverend Father De Smet has rendered in the past year. My reports of his good offices during his term of duty with this command characterize the merit of his success in establishing peace and confidence between the whites and the different tribes of Indians who were so lately hostile.

To these I have now the high satisfaction of submitting his own assurances of the good disposition which animates the wild tribes he has visited the past summer, in his remarkable journey from the shores of the Pacific to St. Louis. The extraordinary influence which this benevolent and charitable ecclesiastic exercises over the minds of the vast tribes in the interior is suggestive of the great benefits to be attained in the encouragement of the missionaries among them.

These good people control them by converting their superstitions into an honest faith in christianity, and by so doing render them virtuous and contented with their condition. The best understanding exists in this department between the missions and the military, and the results of the past year indicate that, so long as this is the case, peace will be maintained between the whites and the Indians.

I am, sir, very respectfully, your obedient servant,
 WM. S. HARNEY,
Brigadier General, Commanding.

The ASSISTANT ADJUTANT GENERAL,
Headquarters of the Army, New York City.

65 a.

ST. LOUIS UNIVERSITY, *October 5, 1859.*

DEAR CAPTAIN: I hope my letters from the Rocky mountains will have reached you in due time. They contained nothing of very particular interest. I reached Fort Benton, on the Missouri, on the 29th of July last, eleven days after the departure of the steamer "Chippeway." All appeared to be quiet among the Blackfeet. I found about two hundred lodges of Gros Ventres and Indians of various bands camped in the vicinity of the fort. I held several conferences with them of a peaceful and religious nature, during which they seemingly paid the utmost attention and respect.

Since the treaty made by Governors Stevens and Cummings they

have strictly adhered to all its stipulations; and fair hopes, I think, may be entertained of the continuance of their good will towards the whites.

I left Rev. F. Hoecken among the Blackfeet, who is to commence a missionary establishment in their midst, with the approbation and apparently to the great satisfaction of all the Indians of this upper region. Fr. Hoecken has great hopes of its success.

At my arrival at Fort Benton my Indian horses had pretty nigh given out; their backs were sore and their hoofs much worn, which made me determine on returning to St. Louis by way of the Missouri river. I ordered the construction of a skiff and hired three young men to assist me on the river, and course, adding a fourth one to the number to act as a pilot, and hunter.

My long trip has been a happy and prosperous. I found the whole country quite abundant and a great variety of game, of which we gladly availed ourselves as a pleasant relief both to body and mind.

I left Fort Benton on the evening of the 3d of August and reached Fort Union on the 16th, having been detained for about two days by rain and contrary wind. Here I met about one hundred and fifty lodges of well-disposed Assiniboin, in whose camp I passed a whole day, confirming them in their submission to the government and in their good will to all their white brethren.

On the 22d I reached Fort Berthold, where I visited all the Minnatarees or Gros Ventres of the Missouri, the little remaining band of Mandans and several lodges of Crow Indians. All were very friendly and attentive to everything I said, and appeared to be very desirous to keep on the best of terms with the whites; like their neighbors, (the Assiniboin,) they expressed to me a great desire to establish missions amongst them.

On the 24th, at Fort Clarke, I found the Rees or Ricarees in their old village. They were mourning over the loss of nine killed and a great number wounded. A numerous war party of Sioux (over five hundred strong) had recently attacked and defeated them. They were preparing for revenge and retaliation, but I advised them, being the weakest party, not to expose themselves and not to provoke further the Sioux, who might speedily visit them again, with an increase of numbers, being too powerful for them. They besought me then to see the Sioux on my way down, and to sue for peace in their favor. I gave them some good and salutary advice, which they badly needed, and prosecuted my journey.

On the 1st of September I arrived at Fort Pierre. The Two-kettle band of Sioux, with a great number of Brulés, Yanetons, and Yanetonnais, were encamped in the prairie between the two forts. They were just receiving the long coming and beautiful uniforms of the general. On the next day some sixty or seventy horsemen made a grand display—and truly they looked well in their new dress. They paid me a particular visit and honored me with a salute. I took occasion to explain to them the character of a true soldier—the motives, why their great father, the President, at the particular request of his great general, had sent them this uniform and sword. I expressed the

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October 5, 1859.

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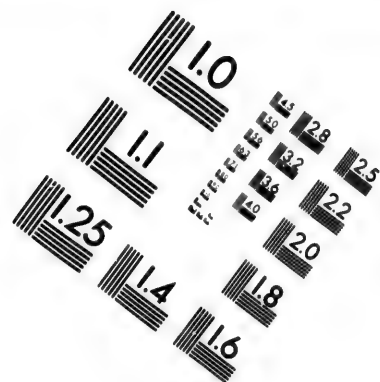
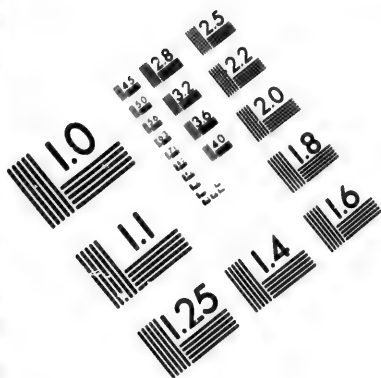
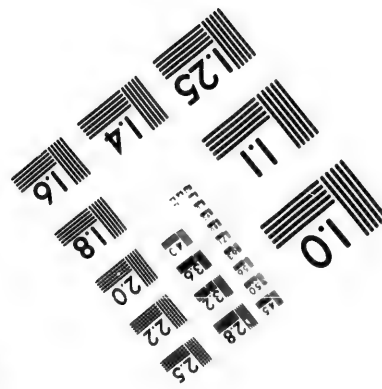
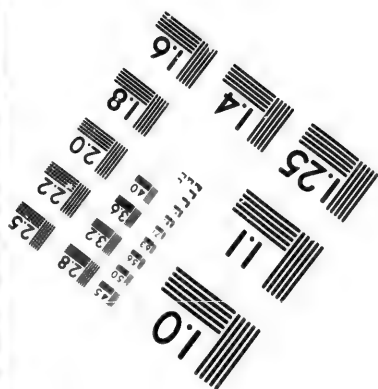
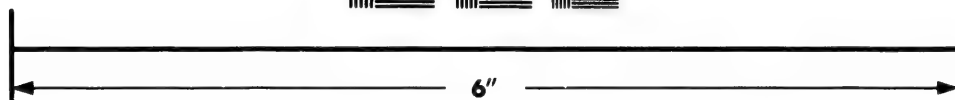
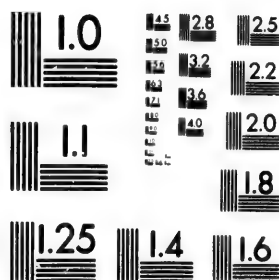


IMAGE EVALUATION TEST TARGET (MT-3)



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hope that thenceforth, under the protection of this fine band of chiefs and soldiers, in whose promises the greatest confidence had been placed, the white men would no longer be molested and the whole country remain quiet. All their speeches and answers, as a matter of course, were very favorable and no doubt sincere. Certain it is that the imposing uniform pleased them very much. May they keep their word! Whilst with them I fulfilled my promises to the Ricarees, and made known that I came from their enemies as a messenger of peace.

You know with what ease such messages are received and accepted, and how soon they may be forgotten again by these poor children of nature; however, they seemed to be in real good earnest on the occasion.

On the 9th of September I stopped a few hours at Fort Randall and dined with Colonel Monroe, in charge of the beautiful little post. The colonel had the great kindness to provide me with all the necessary little articles for my journey.

On the 16th I arrived in Omaha City, where I left my little skiff and went on board the steamer Thom. E. Tudd. We landed, at last, safe and sound, on the 23d of September, in the harbor of St. Louis, and in the midst of my old friends and acquaintances.

Sleeping in a house, after a couple of nights, seemed to prostrate me completely, and I was obliged to keep my bed for several days under the influence of a pretty severe fever; this prevented me from sending you sooner my little communication. I have sent in my resignation to government, as directed, and hope to receive soon an affirmative answer to that effect.

I shall ever gratefully remember the great kindness I have received whilst in the army from the general and from his worthy assistant adjutant general, and shall daily beseech heaven, in my poor prayers, for their prosperity and happiness; happy indeed should I ever have it my power to make a suitable return.

Please present my best respects to the general, and receive, dear captain, the acknowledgment of my most profound respect and esteem.

Most respectfully, your very obedient servant and friend,

P. J. DE SMET, S. J.

A. PLEASANTON,

Captain 2d Dragoons, A. A. G., Fort Vancouver, W. T.

66. *The Adjutant General to General Harney.*

ADJUTANT GENERAL'S OFFICE,
Washington, November 19, 1859.

GENERAL: In answer to the letter addressed to your headquarters under date of September 30, 1859, by Captain H. M. Black, 9th infantry, and by you forwarded to this office, requesting to be furnished with a copy of the sentence adjudged against Private John Sweeney,

of company G, 9th infantry, by the general court-martial which convened at Fort Dalles, pursuant to Special Order No. 17, headquarters department of Oregon, November 26, 1858, I have the honor to state that I am informed by the judge advocate of the army that the record of the court is yet in the hands of the Secretary of War, to whom it was delivered soon after its receipt here.

Captain Black's letter will be laid before the War Department.

I am, very respectfully, your obedient servant,

S. COOPER,

Adjutant General.

Brigadier General W. S. HARNEY, *U. S. A.*,
Commanding Department of Oregon, Fort Vancouver, W. T.

67. General Harney to General Scott.

HEADQUARTERS DEPARTMENT OF OREGON,
Fort Vancouver, W. T., November 22, 1859.

SIR: General Orders No. 70 from the War Department, of this year, designates Fort Vancouver as a field artillery station and school of instruction for the artillery arm. By existing orders, five companies of the 3d artillery form part of its garrison. To insure, therefore, the most efficient system of instruction to these companies, I have the honor to recommend that a field officer of the 3d artillery be placed in command of that post, and name, in this connexion, Brevet Lieutenant Colonel Nauman, who, I believe, has no important command in the department of California. An additional reason for the adoption of this measure exists in the fact of there being no field officer of the 3d artillery in this department, while six companies—one-half of the regiment—belong to this command.

In case the War Department decide to establish a post near Fort Boisee, on the route to Salt lake, that position would be a proper one for the headquarters of the 4th infantry, at present at Fort Vancouver.

I am, sir, very respectfully, your obedient servant,

W. S. HARNEY,

Brigadier General, Commanding.

ASSISTANT ADJUTANT GENERAL,

Headquarters of the Army, New York City.

68. General Harney to the Adjutant General.

HEADQUARTERS DEPARTMENT OF OREGON,
Fort Vancouver, W. T., December 9, 1859.

COLONEL: I have the honor to return Colonel Merchant's communication and enclosure, with the following explanation, in connexion with the enclosed copies of letters from these headquarters to the commander of Fort Vancouver, dated July 23 and August 4, 1859.

In the letter of July 23, 1859, certain enlisted men were directed to be furloughed at dates anterior to that of the communication, for the reason that the necessary orders had been given verbally, at the proper times, but were misunderstood, and these men were improperly reported on extra duty. Such reports entitled the men to an increase of pay to which they had no just claim, and as soon as the facts were discovered the mistakes were corrected by the instructions of July 23. The post return of Fort Vancouver for the month of July, 1859, is correct. A copy is enclosed, and any reports at variance with this should be made to correspond.

It is proper on this occasion to call the attention of the War Department to the three officers whose reports Colonel Merchant considers irregular.

First Lieutenant George Ihrie, who temporarily commanded "B" and "D" companies, has since tendered his resignation, and I trust, for the honor of the service, it has been accepted. This resignation was hastened by the fact of an officer having testified before the general court martial which assembled for the trial of First Lieutenant Lyman M. Kellog, 3d artillery, that he would not believe Lieutenant Ihrie under oath, in any matter in which he was at all interested.

The general opinion of Lieutenant Ihrie's character, with those in the service who know him, is but little better than that above recorded.

The second officer, who was commanding company "A," 3d artillery, in the month of July, 1859, is First Lieutenant Lyman M. Kellog. He has since been tried for drunkenness on San Juan island. The proceedings in his case were sent direct to the Adjutant General by the court, and, from the heinousness of his offences, he has doubtless been sentenced to be dismissed the service.

The third officer referred to by Colonel Merchant is First Lieutenant Henry V. De Hart, who only reported for duty in this department on the 10th day of July last, and was placed in arrest on the 31st of that month.

The short space of twenty days was sufficient for Lieutenant Hart to develop his character.

He began by writing an impertinent and disrespectful communication to his commander, myself, which was returned to him three times by my orders, for which he insulted my staff officer, Captain Pleasanton, attempting to hold him responsible for my acts, and charging him with shielding himself behind his official position after insulting him.

Charges have been duly preferred against Lieutenant De Hart for this conduct, and were submitted to the War Department for its action. Nothing since has been heard from them; but on the arrival of Lieutenant General Scott, he informed me the charges would not be entertained by the War Department, and requested me to release Lieutenant De Hart from arrest.

I replied to the general-in-chief, through his staff officer, that I could not consent to the release of Lieutenant De Hart, as it would be impossible for me to maintain discipline if such outrageous conduct was permitted to pass unnoticed.

The general-in-chief then gave me a peremptory order to release Lieutenant De Hart from arrest. A copy of this order is enclosed.

I have now the honor to forward these charges against Lieutenant De Hart, for the consideration of his excellency the President of the United States; at the same time I submit my protest to the action of Lieutenant General Scott in this case, for the following reasons, viz:

First. It is seriously impairing the force of a vital military principle established for the government of the army in reference to staff officers, in admitting the conduct of Lieutenant De Hart to be wanting in offence, or not in express violation of the rules of war and the custom of our service, by claiming responsibility on the part of a staff officer for the orders of his commander. In justice to the army, Lieutenant De Hart should be brought to trial.

Second. The act of Congress of the 29th of May, 1830, sections 1 and 2, reads as follows:

"Whenever a general officer commanding an army, or a colonel commanding a separate department, shall be the accuser or prosecutor of any officer in the army of the United States under his command, the general court-martial for the trial of such officer shall be appointed by the President of the United States.

"The proceedings and sentence of the said court shall be sent directly to the Secretary of War, to be by him laid before the President for his confirmation or approval, or orders in the case."

This act of Congress deprives the general-in-chief of any action in a case where the commander of a military department is the accuser of an officer in his command, and restricts the exercise of that power to the President in such cases. The general-in-chief, being deprived of the power of instituting a legal examination, is necessarily deprived by the law of the power of acquittal or interference under the same circumstances. For Lieutenant General Scott to order the release of Lieutenant De Hart, in opposition to my remonstrance, and before the action of the President had been duly published, was an illegal and arbitrary exercise of power, prejudicial to the service by tending to lessen my influence and authority over the troops of this command.

The necessity for the law above quoted is obvious when we consider the facilities such power would give a weak or envious commander-in-chief to injure an army in the field or separate military department in effecting purposes of his own detrimental to the honor and dignity of the service.

The law having assigned to the President the duty of deciding in the case of difficulty between myself, as the commander of this department, and an officer of my command, I respectfully request that the proper legal investigation by court martial may be instituted in the case of Lieutenant De Hart, as the only available means of maintaining discipline, and at the same time rendering justice to the parties concerned.

I am, colonel, very respectfully, your obedient servant,

W. S. HARNEY,

Brigadier General, Commanding.

Colonel S. COOPER,

Adjutant General, U. S. Army, Washington City, D. C.

Remarks

On Brigadier General Harney's letter to the Secretary of War, dated December 9, 1859, which the Secretary has courteously caused to be sent to me, evidently against the wishes and expectations of the writer.

This act of the Secretary, with the rebuke that went direct from him to Brigadier General H., on the 7th instant, may, it is hoped, somewhat disabuse the latter of the besotted notion that he and his principal staff officer will be supported at Washington, no matter what blunder either of them may officially commit.

At the foot of page 3 the brigadier general says that I had informed him his charges against Lieutenant De Hart "would not be entertained by the War Department." This is an error with a motive. What I did say, or authorized Lieutenant Colonel Thomas to say in my behalf, was simply this: that from some slight allusion to the charges against Lieutenant De H., volunteered by the acting Secretary of War, in conversation with me at my last visit to Washington, I thought it doubtful whether a court would be ordered for the trial of the lieutenant on those charges; and in the meantime, as the lieutenant's services were needed, I wished the brigadier general to suspend the arrest, and to have the credit of doing a generous act. But this was not to his taste, which satisfied me that his object was not *discipline*, but *vengeance*. Hence I ordered the suspension myself, and added, expressly, in the order, that in case the War Department should appoint a court for the trial of the lieutenant, his arrest could then be renewed. Indeed, from the beginning I was surprised that the prosecutor should desire to place his charges before a court, as, to me, it appeared certain that the accused would not be the greater sufferer by an investigation.

In the next (4th) page of the letter the brigadier general *protests* (?) against that temporary release of the accused, on two grounds:

1. That the suspension of the arrest "seriously impaired the force of a vital military principle," &c. There might be some little sense or application in this ground of protest if I had pardoned, or attempted to pardon, Lieutenant De Hart before trial; but it is utter nonsense when it is recollected that my order in the case did nothing that could delay a trial for a moment, or cripple, in the case of guilt, the ultimate vengeance of the law, but only relieved him from the private vengeance of his prosecutor or prosecutors until a court could take him in hand.

Under this same head something is said about a "violation of the rules of war and the custom of our service." According to these it is quite common to suspend the arrest of an officer in the long absence of any court, or to meet an exigency of the service, and I had the two motives in my act, as well as a third, viz: to relieve a meritorious young officer from the persecution of his prosecutors.

2. The second ground of protest set forth by the brigadier general is as curious as it is malignant. He cites the act of May 29, 1830—a law expressly intended to protect the prosecuted against trial by courts appointed by prosecutors, (!) as if it could have any possible bearing

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on my act in the case under consideration; for I neither appointed a court nor placed the lieutenant beyond the reach of his prosecutor; and yet that act is treated as an acquittal "of the accused before trial or before the action of the President!" But, again, this blundering was not without a motive. It is used as a vehicle for insinuation against "a weak or envious (!) commander-in-chief," having "purposes of his own detrimental to the honor and dignity of the service!"

In the several quotations from the letter in question, it is plainly seen why the letter was clandestinely sent (over my head) to Washington, against the prescribed and indispensable rules of military correspondence.

In dismissing this most nauseating subject, I beg permission to add, that the highest obligations of my station compel me to suggest a doubt whether it be safe in respect to our foreign relations, or just to the gallant officers and men in the Oregon department, to leave them longer, at so great a distance, subject to the ignorance, passion, and caprice of the present headquarters of that department.

Respectfully submitted to the Secretary of War.

WINFIELD SCOTT.

NEW YORK, *February 14, 1860.*

68 a.

HEADQUARTERS OF THE ARMY,
Portland, Oregon, October 21, 1859.

GENERAL: The general-in-chief directs me to say that you will release from arrest, and restore to duty, Lieutenant Henry V. De Hart, 3d artillery, until you are made acquainted with the decision of the President on the charges you have forwarded against the lieutenant. Should a general court-martial be ordered for his trial, he can, on the meeting of the court, be again placed in arrest.

I have the honor to be, very respectfully, your obedient servant,

L. THOMAS,
Assistant Adjutant General.

Brigadier General W. S. HARNEY,
Commanding Department of Oregon, Fort Vancouver.

Post return of Fort Vancouver, W. T., for the month of July, 18 *-Continued.*

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the records of Port Vancouver, W. T., for the month of July, 1859—Continued.

Attached.....
Casualty at the post.....

Discharge of Fort Vancouver, W. T., for the month of July, 1859. Continued.
ENLISTED MEN, "CASUALTY AT POST," WHO ARE TO BE ACCOUNTED FOR BY NAME.

No.	Names.	Rank.	Regiment.	Comp.	Date when received at post.	Remarks.
1	James Davidson.....	Ordnance sergeant.				
1	Patrick Boyle.....	Private	4th infantry	H	June 6, 1858	Sick from Fort Cascades, W. T.
2	William Wall.....	do	do	F	Feb. 2, 1858	Left as hospital steward when his company went to Fort Hoskins.
3	Richard Stoppel.....	do	3d artillery	G	May 25, 1859	Left on duty when his company went to Fort Cascades, W. T.
4	Patrick Smith.....	do	do	K	June 5, 1859	Awaiting opportunity to join his company.
5	John J. Carter.....	Corporal	Engineer	A	do	Sent from Fort Cascades, W. T., awaiting opportunity to join company.
6	John Booth.....	Private	4th infantry	H	do	do
7	John Perham.....	do	do	H	do	do
8	Charles MacCallum.....	do	do	H	do	do
9	John Blossum.....	do	do	H	do	do
10	Jacob Maurer.....	do	1st dragoons	H	do	Sent sick from Fort Cascades, W. T.
11	William Fitzpatrick.....	do	do	I	June 28, 1859	In confinement, awaiting opportunity to join company.
12	George King.....	do	4th infantry	F	do	do
13	Henry Baumman.....	do	3d infantry	B	July 22, 1859	In confinement, awaiting opportunity to join band.
14	Henry Baumman.....	do	do	C	do	In confinement, awaiting opportunity to join company.
15	Dennis Magier.....	do	do	C	July 28, 1859	Joined sick from furlough.

ABSENT ENLISTED MEN ACCOUNTED FOR.

Regiment.	Company.	Sergeant.	Corporals.	Artificers.	Privates.	Remarks.
3d artillery.....	A	1	1		2	Private Hays in confinement at Fort Hoskins; Orderly Conway on furlough. Escort to
Do.....	A	1	1		18	Lieut. Mullin's Road Expedition.
Do.....	B	1	1		18	Lieut. Mullin's Road Expedition. Private Willer clerk at headquarters of de-
Do.....	B				6	partment, Ore.; Sergeant Dowling, Privates Cummings, Cassidy, Francis, on furlough;
Do.....						Private in confinement at Fort Hoskins; Orderly Johnston absent without leave.
Do.....	D	1	1		18	Escort to Lieut. Mullin's Road Expedition. Workman and Gleason on furlough.
Do.....	D				2	Escort to Lieut. Mullin's Road Expedition. Privates Franklin, McKay, Coker, and Or-
Do.....	M		1		18	derly Dettis on furlough; Pearson on detached service at San Francisco; Quirk on de-
Do.....	M				6	tached service at San Francisco.
Do.....	E				2	Private clerk at headquarters of department, Oregon; Call in confinement at Fort Yam-
4th infantry.....						hill, Oregon.
Total.....		4	4		90	

Post return of Fort Vancouver, W. T., for the month of July, 1859—Continued.

OFFICIAL COMMUNICATIONS RECEIVED DURING THE MONTH.

Nature of.	No. of order.	Date.	Whence issued.	When received.	Purpose.
Special order.	105	June 15, 1859	A. G. O.	July 24, 1859	Extend Lieut. Kautz's leave of absence.
Do.	53	June 2, 1859	Headquarters army.	July 17, 1859	Approves transfers of regimental officers.
Letter.	.....	July 19, 1859	Headq'r department Oregon.	July 30, 1859	Declines granting leave of absence to Lieut. Idris, 3d artillery.
Do.	.....	July 21, 1859	do.....	July 21, 1859	Informing that the report of the Quartermaster, of company M, 3d artillery.
Do.	.....	July 22, 1859	do.....	July 23, 1859	Expressing the opinion of the Quartermaster, of company M, 3d artillery.
Do.	.....	July 23, 1859	do.....	do.....	Expressing the opinion of the Quartermaster, of company M, 3d artillery.
Do.	.....	July 30, 1859	do.....	do.....	Directs certain privates of companies A, B, D, and M, 3d artillery, to be reported on for leave until further orders.
Special order.	71	July 16, 1859	do.....	July 30, 1859	Reproves Lieut. De Hart, 3d artillery, for a breach of the general regulations.
Do.	75	July 21, 1859	do.....	July 22, 1859	Grants leave of absence to Captain Andrews, 3d artillery.
Do.	78	July 30, 1859	do.....	July 31, 1859	Quarters to be erected at Fort Vancouver.
Orders	3	June 23, 1859	Headq'r department California.	July 17, 1859	Movements of troops.
					Do.

CIVIL EMPLOYEES, SUBSISTENCE DEPARTMENT.

One clerk at \$100 per month.....	\$100 00
One storekeeper at \$50 per month.....	50 00
Aggregate monthly compensation.....	150 00

HEADQUARTERS DEPARTMENT OF OREGON, Fort Vancouver, W. T., December 8, 1859.

JNO. C. BONNYCASTLE, 1st Lieut. 3d Infantry.
[Official.] A. PLEASANTON, Capt. 3d Dragoons.
Adj. Gen. Adj. Gen.

[Official.] A. PLEASANTON, Capt. 2d Dragoon, 44th. 4th. 4th. 4th. General.

HEADQUARTERS DEPARTMENT OF OREGON, Fort Vancouver, W. T., December 8, 1859.

Post return of Fort Vancouver, W. T., for the month of July, 1859—Continued.

COMMISSIONED OFFICERS, PRESENT AND ABSENT, ACCOUNTED FOR BY NAME.

Names.	Rank.	Regiment or corps.	Letters of comp's.	Remarks.
<i>Regular garrison present.</i>				
1 Henry M. Judah.....	Captain.....	4th infantry.....	E	Joined from leave of absence and relieved Col. Morris in command of post July 22, 1859.
2 Anthony Heger.....	Assistant surgeon.....	Medical department.....	D	In arrest since April 25, 1859.
3 Francis O. Wyse.....	Captain and bvt. major.....	3d artillery.....	A	Commanding company.
4 Lyman M. Kellogg.....	First lieutenant.....	do.....	B	Do.
5 George F. Ihrie.....	do.....	do.....	M	Joined from detached service and assumed command of company July 10, 1859. In arrest since April 25, 1859.
6 Henry V. De Hart.....	do.....	do.....	M	Do.
7 James K. McCull.....	Second lieutenant.....	4th infantry.....	E	Joined from detached service July 14, 1859; relieved in command of company by Captain Judah July 22, 1859.
8 George F. B. Dandy.....	do.....	3d artillery.....	M	Joined from detached service July 23, 1859; relieved Lieut. De Hart in command of company July 31, 1859. Relieved Lieut. Ihrie in command of company D, 3d artillery, July 31, 1859.
<i>Chaplain and schoolmaster.</i>				
1 Rev. John McCarthy, (Protestant Episcopal.).....	.....	.....	.....	Employed since November 26, 1855.
<i>Absent on detached service.</i>				
1 Thompson Morris.....	Lieutenant colonel.....	4th infantry.....	.....	On general court-martial, at Fort Dalles, Oregon, S. O. No. 65, headquarters department of Oregon, June 23, 1859; left post July 22, 1859.
2 Robert C. Buchanan.....	Major and bvt. lt. col.....	.....	.....	Under orders from headquarters of army; left regiment July 18, 1856.
3 Edward G. Beckwith.....	Captain.....	3d artillery.....	A	Constructing military road, S. O. No. 83, A. G. O. June 8, 1857; left company May 28, 1853.
4 John S. Mason.....	First lieutenant.....	do.....	D	At Fort Columbus, N. Y., on general recruiting service, S. O. No. 15, headquarters 3d artillery, June 1, 1859; not yet joined.
5 Horatio G. Gibson.....	do.....	do.....	M	Regimental quartermaster, left post October 25, 1859.
6 Hiram Dryer.....	do.....	4th infantry.....	A	On general recruiting service, S. O. No. 18, June 8, 1859; left regiment June 18, 1852.
7 Beckman Du Barry.....	do.....	3d artillery.....	A	On general recruiting service, S. O. No. 18, June 8, 1859; left regiment June 18, 1852.
8 John Kellogg.....	do.....	do.....	B	On general recruiting service, S. O. No. 18, June 8, 1859; left regiment June 18, 1852.
9 John C. Chandler.....	do.....	do.....	D	On general court-martial, at Fort Dalles, Oregon; S. O. No. 65, headquarters department of Oregon, June 23, 1859; left post July 22, 1859.
10 Hyman B. Lyon.....	Second lieutenant.....	do.....	A	Regimental adjutant.
11 James Howard.....	do.....	do.....	B	On escort to Lieut. Mullan's N. P. M. E. expedition, S. O. No. 30, headquarters department of Oregon, April 26, 1859; left post July 22, 1859.
12 Gabriel H. Hill.....	do.....	do.....	D	do.
				En route to light company "E," 3d art'y, S. O. No. 52, headquarters of army, June 2, 1859; left post July 21, 1859; relieved in command of company by Lieut. Ihrie, 3d artillery, same date.

Post return of Fort Vancouver, W. T., for the month of July, 1859—Continued.

COMMISSIONED OFFICERS, PRESENT AND ABSENT, ACCOUNTED FOR BY NAME.

Names.	Rank.	Regiment or corps.	Letters of comp ^{ts} .	Remarks.
<i>WIA leave.</i>				
1 George F. Andrews	Captain and bvt. major.	3d artillery	M	S. O. No. 4, headquarters department of Oregon, July 16, 1859; not yet joined.
<i>Sick.</i>				
1 William Whisler	Colonel	4th infantry	... B	At Newport, Ky., per last report of September 29, 1859; left regiment June 15, 1859.
2 William Austine	Captain and bvt. major.	3d artillery		At St. Honoré, France, per last report of October 31, 1857; not yet joined.
<i>Attached present.</i>				
1 Robert Macfeely	First lieutenant	4th infantry	G	Regimental quartermaster, A. A. Q. M., and A. A. C. S.; relieved in command of company E, 4th infantry, by Lieut. McCall, July 11, 1859.
2 Henry C. Hodges	do	do	F	Regimental adjutant.
<i>ALBAT'S SINCE LAST RETURN.</i>				
<i>Transferred.</i>				
1 Lawrence Kip	Second lieutenant	3d artillery	G	To Fort Cascades, W. T., July 22, 1859.

NOTE.—First Lieutenant J. C. Bonnycaide, 4th infantry, casually at the post; joined August 3, 1859, from the Great Salt Lake Wagon Road Expedition.

69. *The Adjutant General to General Harney.*

ADJUTANT GENERAL'S OFFICE,
Washington, December 17, 1859.

GENERAL: Your letter of September 19, 1859, reporting the failure of First Lieutenant John C. Howard, 9th infantry, to appear before the general court-martial appointed by you for his trial, and recommending that his name be dropped from the rolls of the army, was duly laid before the Secretary of War, and has been returned to this office with the following endorsement:

"WAR DEPARTMENT, *December 8, 1859.*

"The case is not considered to require the action recommended by the department commander.

"J. B. FLOYD,
"Secretary of War."

I have the honor to be, general, very respectfully, your obedient servant,

E. D. TOWNSEND,
Assistant Adjutant General.

Brigadier General W. S. HARNEY,
U. S. A., Com'g Dep't of Oregon, Fort Vancouver, W. T.

70. *The Adjutant General to General Harney.*

ADJUTANT GENERAL'S OFFICE,
Washington, December 17, 1859.

GENERAL: I have the honor to transmit to you several communications which have been received at the War Department, presenting claims to the site of Fort Cascades, Washington Territory, respecting which the following decision has been given:

"WAR DEPARTMENT, *July 16, 1859.*

"In view of the adverse claims relative to the occupation of Fort Cascades, Washington Territory, by the government, the whole subject will be referred to the commanding officer of the department of Oregon for further investigation and adjustment, subject to the approval of this department, both as regards damages for the past and the terms of occupation for the future. The claimants will, therefore, present their claims in a definite shape to that officer. The government will not desire to purchase, but may lease for a period of ten years, if required so long for military purposes.

"W. R. DRINKARD,
"Acting Secretary of War."

I regret to add that the foregoing decision was, through inadvertence, overlooked in this office until a few days ago.

You will also find herewith the proceedings of the board of officers appointed by you the 2d of March last to examine into the claim of Mr. G. W. Johnson to the site of Fort Cascades. The orders of the War Department upon these proceedings are endorsed upon the record.

I am, general, very respectfully, your obedient servant,

E. D. TOWNSEND,

Assistant Adjutant General.

Brigadier General W. S. HARNEY,

Com'g Dep't of Oregon, Fort Vancouver, W. T.

71. General Harney to General Scott.

HEADQUARTERS DEPARTMENT OF OREGON,

Fort Vancouver, W. T., December 26, 1859.

COLONEL: I have the honor to return the enclosed letter from Lieutenant Welcher, referred to by the Secretary of War, for the purpose of ascertaining the value of the improvements on the tract of land recommended by Lieutenant Welcher as an appropriate site for an arsenal at this point.

In reply to the Secretary, I desire to inform him that on the 12th of October last I caused a note to be addressed to Lieutenant Welcher, a copy of which is enclosed, stating the cost of the improvements had been three thousand four hundred and eighty dollars, and for this sum I was willing to relinquish the place to the government. In the matter of lease, until the title has been secured by the government I should not have asked more than the sum I agreed to pay the Hudson Bay Company for their "possessory rights," viz: five dollars per year. As those rights have expired, according to a late decision of the State Department, I shall not ask any rent of the government for the occupation of the property should it be determined to accept it.

The title to the land is not encumbered by any other claim; half the land is enclosed by a good cedar post fence, besides the other improvements that have been placed upon it. These improvements consist of a good dwelling-house, containing seven rooms and a kitchen, with outhouses, stables for three horses, with covers for vehicles, and a large cistern. The title to this property can be confirmed to the United States sooner than any other piece of property in this vicinity. The position which was at first contemplated for the arsenal site has three or four different claimants, including the mission claim, besides being inferior in point of locality to the place now under consideration.

Early in October Lieutenant Welcher was so well satisfied of the fitness of the position, and his convictions that the department would authorize its purchase on the terms proposed, that, with my permission, he took possession of the premises for some weeks, when he suddenly came to me and said he had received an answer from the colonel of ordnance to his proposition to procure the land for arsenal purposes,

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which answer, he stated, contained several objections to the pro-
posals, and declined to entertain it.

Having implicit confidence in Lieutenant Welcker's word, I be-
lieved the colonel of ordnance had formed his plans, and that Lieu-
tenant Welcker was instructed accordingly, for the latter quitted the
premises and commenced building upon the original site proposed.

On receiving the endorsements of the Secretary of War, with that of
the colonel of ordnance made upon Lieutenant Welcker's letter of the
2d of August, I found the colonel of ordnance had been grossly misrep-
resented to me by Lieutenant Welcker, and that, instead of entertain-
ing the opinion Lieutenant Welcker had expressed to me, he had
authorized a lease to be obtained of the property for a term of years
until the title could be confirmed to the United States. I regret to
report that Lieutenant Welcker never made any offer to lease the
property, or spoke of the authority which had been given him to
do so.

I called upon Lieutenant Welcker for an explanation of the au-
thority by which he commenced to build, and his answer is not at all
satisfactory. This correspondence is enclosed, and, in connexion
with the endorsement of Colonel Craig, exposes Lieutenant Welcker
to the imputation of having told a deliberate and wilful falsehood to
his commanding officer in the line of his duty.

I have directed Lieutenant Welcker to stop building, as he is not
regarding the instructions of the colonel of ordnance in so doing,
having commenced two houses out of all proportion to the wants of
himself and his detachment.

I cannot understand the inducement Lieutenant Welcker has had
to cause him to conduct himself as he has done, and I trust the
Secretary of War will give this subject an early attention.

I am, colonel, very respectfully, your obedient servant,

WM. S. HARNEY,

Brigadier General, Commanding.

Colonel S. COOPER,

Adjutant General, Washington City, D. C.

71 a.

ORDNANCE OFFICE, *Washington May 30, 1859.*

Sir: You have been informed verbally in regard to the building of
a new arsenal at Vancouver, and to the difficulty of obtaining a valid
and satisfactory title to the site. If this difficulty shall continue, and
the wants of the service shall in the meantime render it necessary to
enlarge the operations and increase the supplies at the department,
you are authorized to make the following temporary arrangements,
or such of them as you may find to be necessary, before you can go on
with the permanent buildings, bearing in mind, however, that such
arrangements are only for temporary purposes, to be superseded by
those of the permanent arsenal, to be built as soon as possible after
the title to the site is acquired.

You may increase the detachment of ordnance to fifteen men, by
enlistment or transfer, and may have the following grades, to wit:

1 master workman, 4 mechanics, 5 artificers, and 5 laborers. You may put up temporary shops for armorers, blacksmiths, and carriage makers, and a temporary laboratory; also temporary shelter for the enlisted men and officers of the ordnance department if necessary, and such temporary storerooms as may be absolutely necessary for the shelter and preservation of the ordnance stores at the depot.

I enclose a list of building materials pertaining to the arsenal in Washington Territory, which are now in store at Benicia, and all or any portion of which you can obtain by requisition on Captain Calender when you may want them for use at Vancouver.

If, after you take charge of the depot, you should find it necessary for the service of the post to do your own hauling, you may purchase a horse and cart, or two horses and a wagon, if less will not answer.

The funds which will be turned over to you will be sufficient for present expenditures, and you will have the opportunity to prepare estimates for what may be required in future.

Respectfully, your obedient servant,

H. K. CRAIG,
Colonel of Ordnance.

Lieutenant W. T. WELCKER,
New York City.

71 b.

VANCOUVER DEPOT, W. T., *August 2, 1859.*

CAPTAIN: Having been informed by General Harney of his unwillingness to transfer to the ordnance department, for the purposes of an arsenal site, a tract of land of 100 acres lying near a mile east of Fort Vancouver, and which tract is his private property, subject to the claims of the Hudson's Bay Company, I have visited said tract and seen the improvements thereon, and having been directed in conversation by General Harney to furnish him with a communication stating whether I deemed said tract desirable for the purposes of the ordnance department, I have the honor to present this and to say that I deem the tract more suitable for an arsenal than the present ordnance reserve, as it is a little more remote from the buildings and people of the town and fort of Vancouver and consequently a better situation for magazines of powder. This tract is also a much more beautiful situation, in my opinion, than the present reserve and it possesses the additional and great advantage of not being claimed by any other party, while to twenty acres of the present reservation there are, I am told, two, if not three, claimants.

I am authorized by Lieutenant Till, of the ordnance corps, to state that he concurs in these views.

Respectfully, your obedient servant,

WM. T. WELCKER,
First Lieut. Ordnance, Commanding Depot.

Captain A. PLEASANTON,
2d Dragoons, A. A. Adjutant General Department of Oregon.

[Endorsements.]

HEADQUARTERS DEPARTMENT OF OREGON,
Fort Vancouver, W. T., September 20, 1859.

This communication is respectfully transmitted for the consideration of the War Department, with the information that I am willing to transfer the 100 acres spoken of for the purpose of an arsenal, should the department be disposed to return to me the cost of the improvements I have placed upon the land in fences and buildings.

I agree with Lieutenant Welcker in the opinion of its fitness for arsenal purposes, and having procured it for amusement at a nominal value I shall be satisfied with the amount I have placed upon it.

WM. S. HARNEY,
Brigadier General, Commanding.

ADJUTANT GENERAL'S OFFICE, *November 1, 1859.*

Respectfully referred to the colonel of ordnance.

S. COOPER,
Adjutant General.

ORDNANCE OFFICE, *November 2, 1859.*

An appropriation for an arsenal in Washington Territory was made by act of August 30, 1856, and General Wool set apart a portion of the land at Fort Vancouver for it. Measures were at once taken for the erection of the necessary buildings when the Hudson's Bay Company objected to our going on till their possessory claim under treaty had been quieted, and consequently the ordnance, men, and stores have never been duly sheltered there.

On the 1st of August last Lieutenant Welcker sent me a copy of this letter and said he was told by General Harney that he had a lease of this 100 acres from the Hudson's Bay Company for five years at \$5 a year. In reply I reminded Lieutenant Welcker of the joint resolution of Congress, September 11, 1841, forbidding the expenditure of money on any site purchased till the Attorney General shall certify the validity of title, and as till then none but the most temporary buildings should be erected, I authorized him to lease from the general this 100 acres, with the buildings thereon, to the end of the term of the general's lease from the Hudson's Bay Company. I have had no reply yet, but presume the offer has been made.

From what Lieutenant Welcker has written to me I think 100 acres of General Harney's would afford a most eligible site for the contemplated arsenal, and as the lease itself would present no obstacle to its purchase, I would recommend that as soon as a definite price has been agreed upon, some one learned in the law be employed to investigate and certify the title and prepare and have the deed executed by the general and Mrs. Harney, and the papers forwarded to this office to be submitted to the Attorney General through the Secretary of War.

H. K. CRAIG, *Colonel of Ordnance.*

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71 c.

ORDNANCE OFFICE,
Washington, September 15, 1859.

SIR: I have received your letter of the 1st August, in relation to the selected site for the arsenal at Fort Vancouver; to your having proposed to an officer of the Hudson's Bay Company for them to quit-claim the site so selected; to claims set up by citizens of the United States to the twenty-acre site selected outside, and adjoining the original Fort Vancouver reservations, and which twenty acres you consider almost essential (for reasons you give) as the part on which to erect the arsenal buildings, and also in relation to a tract of one hundred acres owned by General Harney, and known as the "Dundas Castle" place, lying about one mile east of Fort Vancouver, which he offers to sell to the United States as the site for the arsenal, at about what it cost him, which he thinks is from \$1,200 to \$1,500, to which offer he requests an early reply.

The joint resolution of Congress, of the 11th September, 1841, provides that no money shall be expended upon any site or land *purchased* for arsenals, armories, forts, &c., until the written opinion of the Attorney General shall be had in favor of the validity of the title. This would forbid not only the paying of General Harney for the land until the deed, made and executed by himself and his wife, shall have been sent on, accompanied by a brief of title and papers referred to in it, and then investigated and certified as above, but no money it will be seen could be expended in the erection of buildings on the site until all this was done; and from examples we have already had, it is not probable that the certificate could be obtained for many months.

As to the twenty-acre tract I think we are sufficiently protected from any extravagant claims by donation or pre-emption settlers by the 14th section of the act of 27th September, 1850, yet until the lands already selected shall have been legally confirmed to us for an arsenal, or the titles thereabouts shall have been so quieted that we can purchase a valid fee simple title, nothing more than the most temporary shelter for our stores and employes must be built. It may however be well if General Harney will lease to us the one hundred acres with the buildings thereon at a reasonable rent, to enter upon such a lease; and if you, on the spot, see no objection to it, I hereby authorize it, say for a term to the end of his lease from the Hudson's Bay Company. If this is done you may then add the necessary temporary structures to those already there.

I am, sir, respectfully, your obedient servant,

H. K. CRAIG,
Colonel of Ordnance.

Lieutenant W. T. WELCKER,
Ordnance Dept, Fort Vancouver, W. T.

71 d.

HEADQUARTERS DEPARTMENT OF OREGON,
Fort Vancouver, W. T., October 12, 1859.

SIR: General Harney desires me to say the cost of the improvements on the place you are desirous to obtain for an arsenal site is \$3,480, and for this sum he is willing to relinquish it to the government.

I am, sir, very respectfully, your obedient servant,

A. PLEASANTON,

Captain 2d Dragoons, A. Ass't Adj't Gen'l.

First Lieutenant W. T. WELCKER,

Ordnance Department, Commanding Vancouver Arsenal.

71 e.

HEADQUARTERS DEPARTMENT OF OREGON,
Fort Vancouver, W. T., December 24, 1859.

SIR: The general commanding instructs you to stop all building on account of the Ordnance department, the War Department not having determined upon a site for an arsenal at this point.

You are further instructed to report by what authority you commenced to build, and also to furnish this office copies of all communications you have received from the colonel of ordnance on the subject.

I am, sir, very respectfully, your obedient servant,

A. PLEASANTON,

Captain 2d Dragoons, A. Ass't Adj't Gen'l.

First Lieutenant W. T. WELCKER,

Ordnance Department, Fort Vancouver, W. T.

71 f.

VANCOUVER DEPOT, W. T.,
December 26, 1859.

SIR: I have received your communication of the 24th instant, informing me of the order of the department commander to me to stop all building on account of the Ordnance department, and to report by what authority I commenced to build, and to furnish your office with copies of all communications I have received from the colonel of ordnance, on the subject.

I obey this order, but I do so under protest. I cheerfully recognize the right of the department commander to order any issues of ordnance stores which he thinks proper, but I feel it to be my duty to protest, in a respectful but most emphatic manner, against this interference with my special duties as the agent of the Ordnance bureau

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October 15, 1859.

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Colonel of Ordnance.

at this point, and against his overhauling my instructions from the chief of ordnance.

I was sent here by the Ordnance department to carry out (in addition to furnishing the troops of this military department with ordnance supplies) certain designs of its chief, and it is impossible for me to do this in a successful manner if I am to receive orders on the subject from two separate and independent sources.

I have stopped work on the buildings I commenced to build by the authority of the chief of ordnance.

I transmit herewith a copy of instructions received from the Ordnance bureau while in New York, and I forwarded on Saturday last, to your office, a copy of a letter received from Colonel Craig, since I was here, in which he says, "yet until the land already selected shall have been legally confirmed to us for an arsenal, or the titles therabouts shall have been so quieted that we can purchase a valid fee simple title, nothing more than the most temporary shelter for our stores and employes must be built."

It may be well to state that the effect of this order of supervision is to leave the larger part of my command very uncomfortably and inadequately quartered, while a few days, say four or five, would have finished the building, so that not only all of the present detachment, but all whom I expect to join it, would have been comfortably housed.

Respectfully, your obedient servant,

WM. T. WELCKER,

First Lieut. Ordnance, Commanding the Depot.

Captain A. PLEASANTON,

A. A. Adj. General, Dept. Oregon.

72. *Col. Abert to Mr. Floyd.*

BUREAU OF TOPOGRAPHICAL ENGINEERS,
Washington, December 31, 1859.

SIR: I have the honor to acknowledge the reference to this bureau "for an examination and report on the maps" transmitted to the War Department by Brigadier General Harney, commanding department of Oregon, and recommended by him to be published for the information of the army and the country generally.

The maps of Father De Smet contain many valuable details which should be embodied in a new edition of the War Department maps; the geographical positions are, however, **extremely erroneous.**

The explorations of Commander Wilkes, Governor Stevens, J. C. Frémont, Captain Stansbury, and others, over portions of the country embraced by the general map of Father De Smet, all of whom have had instruments, scientific men, and other means for determining with great accuracy the latitude, longitude, and topography of the country, have superseded much of the information contained in the general map of Father De Smet.

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T. WELCKER,
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ICAL ENGINEERS,
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It is admitted that the sketch maps may be of value for reference and for future use, but it is manifest that in their present condition the department should not publish them, for the reason that they are devoid of scientific value, and that more correct maps have been already published.

This bureau would do an injustice to the Reverend Father, if it should fail at the occasion now presented to acknowledge his kindness in permitting copies of the maps prepared by him to be taken by Captain J. H. Simpson, corps topographical engineers, whilst on the march with the troops for Utah.

Captain Simpson took copies of the general map and the map indicating the positions of the Indian tribes and missions, &c.

Great merit is justly accorded to the Reverend Father De Smet for the valuable information he has collected, and which he has so freely and kindly offered for the use of the War Department.

Respectfully, sir, your obedient servant,

J. J. ABERT,

Colonel, Commanding Topographical Engineers.

Honorable JOHN B. FLOYD,
Secretary of War.

73. *The Adjutant General to General Harney.*

ADJUTANT GENERAL'S OFFICE,

Washington, January 12, 1860.

GENERAL: I am instructed by the Secretary of War to say that the expenses of the quartermaster's department within the limits of your command must be reduced. No expenditures that are not absolutely essential to the efficiency of the service will be sanctioned, otherwise, it will be necessary to resort to a deficiency bill to meet the expenses of the army, and this the Secretary is determined that he will under no circumstances, except in an unforeseen exigency, ask for.

The Secretary of War further directs that you cause estimates to be prepared, on the most economical scale, of the moneys required for disbursements in the quartermaster's department, in the department of Oregon, during the residue of the present fiscal year.

These estimates to be forwarded to the quartermaster general as soon as practicable, and to specify in detail the object for which the funds will be needed; beyond the amounts thus estimated for, no expenditures will be made or debts incurred.

I have the honor to be, general, very respectfully, your obedient servant,

S. COOPER, *Adjutant General.*

Brigadier General W. S. HARNEY,
*Commanding Department of Oregon,
Fort Vancouver, W. T.*

74. *General Harney to the Adjutant General.*

HEADQUARTERS DEPARTMENT OF OREGON,
Fort Vancouver, W. T., January 17, 1860.

COLONEL: I have the honor to enclose, for the information of the War Department, the following-named reports of the expedition made from this command, the past summer, to open a wagon road to the Salt Lake from the Dalles of the Columbia river; and also to protect the emigration from the western States to Oregon and Washington Territory, viz:

1. General report of Captain Henry D. Wallen, 4th infantry, commanding.
2. Report of Lieutenant John C. Bonnycastle, 4th infantry, of the country from Crooked River cañon to the Dalles.
3. Report of Lewis Scholl, guide and topographer, of the country from Harney lake, through the valley of the Owhyee river, to Salt Lake.
4. Report of Brevet Second Lieutenant J. H. Dixon, corps of topographical engineers, of the discharge of the duties appertaining to his department, with his views of the country and route.
5. Report of Second Lieutenant David C. Houston, corps of engineers, upon the use of the pontoon equipment in the crossing of rivers, &c.
6. Copy of the map of the department of Oregon, with the different routes and topographical features of the country marked out upon it, from the different maps of the several exploring parties.

Lieutenant Dixon is now preparing a complete map of the country, as well as the various rivers, mountains, lakes, and valleys, in detail, which will be submitted as soon as it is finished.

It will be perceived from these reports that there exists a succession of large and fertile valleys from the Columbia river to the Great Salt Lake, susceptible of maintaining large populations, and which will soon become occupied whenever the facilities offered by good roads are presented. The distance from the Dalles to the Great Salt Lake is the shortest and most accessible of any other known route, as indicated by the reports of Lieutenant Bonnycastle and Lewis Scholl. The importance of this enterprise, in connexion with affording proper protection to the emigrants, is such that I have determined to send a command over this route the coming season to complete the road and aid the emigration. Not a single life was lost in the past year by the emigrants from Indians.

To enable the emigrants moving into Oregon to do so more expeditiously, I shall cause a route to be opened from the lake, named as Harney lake upon the map, to the juncture of the road from Eugene city, up the middle fork, to where it crosses Frémont's road of 1843, south of Diamond peak. Lieutenant Dixon speaks favorably of the country from what he observed; and, from all the information I can

gather, an excellent road, not exceeding one hundred miles, will extend to the present settlement in Oregon.

I am, colonel, very respectfully, your obedient servant,
WM. S. HARNEY,
Brigadier General, Commanding.

Colonel S. COOPER,
Adjutant General U. S. Army, Washington City, D. C.

74 a.

General report of Captain Henry D. Wallen, 4th regiment infantry, United States army, in command of the wagon road expedition from the Columbia river to the valley of the Great Salt Lake.

FORT VANCOUVER, W. T.,
November 25, 1859.

CAPTAIN: I have the honor to submit, together with the accompanying map, the following report of the expedition under my command; the orders and instructions under which it was organized and conducted are as follows:

HEADQUARTERS DEPARTMENT OF OREGON,
Fort Vancouver, W. T., April 27, 1859.

SPECIAL ORDERS No. 40.

I. To increase the facilities of communication between the Columbia river and the valley of the Great Salt Lake, in connexion with the overland route to the frontiers of the western States, the following command will be organized at Fort Dalles, to move from that point by the 1st of June next, for the purpose of opening a good wagon road to the Snake river, in the vicinity of the mouth of the Malheur river, and from thence to a point called "City Rocks," at the junction of the road from Forts Laramie and Bridger with the road from Fort Hall to the Salt Lake City, viz:

Companies "E" and "H," of the 1st dragoons; company "H," 4th infantry; detachment of engineers, company "A," Captain Henry D. Wallen, 4th infantry, commanding.

Detailed instructions will be given Captain Wallen.

II. Brevet Second Lieutenant Joseph Dixon, corps of topographical engineers, will report for duty with this command.

The detachment of engineers will be provided with the necessary boats and implements to facilitate the passage of any streams this command may be required to cross.

III. The quartermaster, subsistence, ordnance, and medical departments at Fort Vancouver will furnish four months' supplies to this command, with the necessary transportation, assistance, and means to

enable it to accomplish in a complete and thorough manner the requirements of the expedition.

14. The commanding officer will designate in time an officer of his department to accompany this expedition.

V. Company "G," 4th artillery, will relieve company "H," 4th infantry, by the 25th of May next, at Fort Cascades.

By order of General Harney.

A. PLEASANTON,

Captain 2d Dragoons, A. A. Adj. General.

COMMANDING OFFICER,

Fort Cascades, W. T.

HEADQUARTERS DEPARTMENT OF OREGON,

Fort Vancouver, W. T., April 28, 1859.

CAPTAIN: The general commanding instructs me to enclose a copy of Special Orders No. 40 from these headquarters, assigning you to a command designed to open a road from the Dalles to the Great Salt Lake valley, communicating also with the western States through the South Pass of the Rocky mountains.

The portion of the road from the Dalles to the Snake river remains to be explored; you are therefore directed to ascertain if a wagon road cannot be made up the John Day river, and thence over to the headwaters of the Malheur, following down that stream to the Snake river. In this investigation, should any other route present greater advantages, you will use your own discretion and judgment in the selection.

On reaching Snake river, follow the best and most expeditious route up that river either to Goose creek, Swamp creek, Raft river, or any other stream whose direction and borders will be most suitable for the road to the point called "City Rocks."

On your return, should you possess any information to induce you to believe a shorter or more practicable route exists than the one over which you have passed, you are authorized to examine it, or such portions as will enable you to submit a satisfactory report on the subject. You will communicate with the commander of the department of Utah on arriving at City Rocks, giving him all necessary information concerning the opening of the road. You will also cause placards to be left with such of the inhabitants of Utah that you may meet, notifying emigrants to Oregon and Washington Territory of the existence of this road, and such details as will enable them to travel it without any uncertainty.

The distance of each day's march will be accurately measured and a record kept by the topographical engineer with you, who will be charged with the construction of a correct map of the road and country through which you will pass embracing all details.

In organizing your command, you will confer freely with Captain R. Ingalls, assistant quartermaster, who will furnish the necessary guides, &c., for the route. It is important that you should know the country in advance of you some forty or fifty miles each day, to ob-

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PLEASANTON,
A. Adj. General.

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tain which, your principal guides should be kept at this distance to the front, having persons with them by whom they will keep you advised at all times of the country over which they are moving. A copy of the map of the department of Oregon is enclosed that you may correct any errors that are observed.

You are further instructed to transmit the required returns, reports, and abstracts to this office, with such full advices in reference to the progress of the work with which you are charged as will convey a proper understanding of its accomplishment.

The general commanding assures you of his confidence in the execution of this important duty, to which you have been named by an appreciation of the interest and experience you have always exercised in your service on this coast.

I am, captain, very respectfully, your obedient servant,

A. PLEASANTON,

Captain 2d Dragoons, A. A. A. General.

Captain H. D. WALLER,

*4th Infantry, Commanding Wagon Road Expedition,
Fort Cascades, Washington Territory.*

I was relieved from the command of Fort Cascades, Washington Territory, on the 26th of May, and reached Fort Dalles the same day, but it was not until the 4th of June that the command started.

It was my intention originally to have followed the John Day river to its source, with the view of reaching the waters of the Malheur, lying near the base of the Blue mountains, by the most direct route; but receiving information from a reliable source showing the impracticability of constructing a wagon road along that river, and not wishing to delay my work longer than was absolutely necessary, I determined to shape my course in a southerly direction from Fort Dalles for the Des Chutes or Fall river, cross that stream near the mouth of the Warm Spring river, and proceed from thence to the headwaters of the Crooked river.

In this I had a twofold object—to supply the deficiency in the map of the department of Oregon, as most, if not all, of that country was unexplored, and to reach the headwaters of Crooked river with as little delay as possible, establish a depot, and divide my command; one party to explore and work a road from the depot, by the best and most direct route, to Fort Dallas, the other to move onward to the valley of the Great Salt Lake.

The greatest difficulty under which I labored, before starting out, was obtaining guides; for even among the Indians none knew more than small portions of the country we were to traverse, and no white man could be found who had any knowledge of the Blue mountains.

For confirmation of my information as to the impracticability of constructing a wagon road along the John Day river, I respectfully refer the general commanding to the report of First Lieutenant John C. Bonnycastle, 4th infantry.—(See document marked "A," appended.)

My command consisted of company "H," 1st dragoons, First Lieu-

tenant Robert Johnston; company "E," 1st dragoons, First Lieutenant Nelson B. Switzer; company "H," 4th infantry; detachment of company "A," sappers and miners, Second Lieutenant David C. Houston; Assistant Surgeon John F. Randolph, medical staff; Brevet Second Lieutenant Joseph Dixon, topographical engineers; First Lieutenant John C. Bonnycastle, 4th infantry, acting assistant commissary of subsistence, and acting assistant quartermaster; Second Lieutenant Marcus A. Reno, 1st dragoons, acting adjutant; Second Lieutenant Henry M. Robert, attached to engineer detachment, and myself. Total strength, nine officers and one hundred and eighty-four enlisted men.

The mounted men were armed with Sharpe's carbines, sabres, and Colt's revolvers; the footmen with the new rifle-musket, and the new rifle with the elevating sight—all excellent weapons; the mounted men, however, carrying more arms than the nature of the service required, being an unnecessary weight to the horse and rider.

The topography of the country and itinerary of the route, showing the obstacles met with, daily distances, &c., as well as the barometric profiles, are fully shown in Lieutenant Dixon's map and memoir, and in the report of Lieutenant Houston, marked "B," appended.

The dragoon horses numbered one hundred and sixteen; and in the quartermaster's department there were thirty-eight horses, three hundred and forty-four mules, one hundred and twenty-one oxen, thirty wagons, one ambulance, one travelling forge, one hundred and thirty-two Mexican pack-saddles, (apérejo,) and seventy-five of the old pattern cross-tree pack-saddles. In the commissary's department, supplies (including sixty head of beef cattle) for three hundred and nineteen persons were furnished for one hundred and twenty days.

The dragoon horses were in fine condition for the trip, and the mules generally good; some of those received by water from California were too much enfeebled and broken down, before starting out, to have been sent on the expedition. The Mexican apérejo is the only pack-saddle that should ever be placed on the back of a mule; fortunately we were well supplied with these, and they did excellent service during the whole trip; but the ordinary cross-tree pack-saddle did not answer, notwithstanding every precaution was used to save the backs of the pack animals.

Our preparations being complete, the command left Fort Dalles on the 4th of June, taking up its line of march in a southerly direction, and in the afternoon reached the eight-mile creek, where we encamped for the night.

Left camp early the next morning, and passed over a rolling country to the fifteen-mile creek, a cool stream of running water, where we found several thrifty farmers established, with quantities of stock grazing about on the neighboring hills.* At this camp we found an abundance of wood, water, and grass, the three indispensable requisites for the command.

* As an evidence of what Oregon is as a stock raising country, I give the following receipt from a farmer living on the fifteen mile creek: "In the spring of 1851 I purchased a cow, for which I paid fifty dollars; since then I have sold four hundred and twenty-one dollars worth of stock, have on hand nine cows and calves and eight yearlings, valued at seven hundred and eighty dollars, all the increase from that cow since she has been in my possession."

goons, First Lieutenant; detachment Lieutenant David C. Medical staff; Brevet engineers; First Lieutenant assistant commissary; Second Lieutenant; Second Lieutenant, and myself. Total thirty-four enlisted men. Carbines, sabres, and musket, and the new weapons; the mounted nature of the service required a rider.

of the route, showing well as the barometric map and memoir, and B," appended.

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over a rolling country, running water, where with quantities of stock this camp we found an indispensable re-

We moved on the next morning at six a. m., travelling over a pretty good road, through a rolling country, until our approach to the valley of the Tych. In descending to this valley we passed down a very steep hill for about two thousand feet to the Tych river, a cool stream of running water, fifty yards wide and thirty inches deep at the ford. We encamped in the Tych valley, where we found plenty of wood, water, and grass. This valley is about twenty miles long and from one to two miles wide, where are located several persons doing well as farmers and with their stock ranches, the soil being well adapted to agriculture.

The command was in motion at an early hour on the morning of the 7th, but had not progressed more than a mile when our course was interrupted by White river, a rapid stream of thirty-five yards in width and three and a half feet in depth. The entire day was consumed in crossing this stream and ascending the opposite hill, a height of twelve hundred feet.

The Tych river flows into the White river, running in a northeasterly direction until the point of junction, about one mile from the crossing. The water of White river is clear, sweet, and cold, with pebbly bottom, but its width, depth, and strong current were such as to compel us to use our pontoon floats; sixty men were passed over in ten minutes on a flat, made by uniting four of these floats.

Our course was still south the next morning; and after travelling some distance we reached a creek running easterly into the Des Chutes river, and surrounded by springs and oak trees. The country between the Tych and Oak grove is level, but stony in some places; it contains an abundance of nutritious grass, principally the bunch grass, full of seed, and is therefore well adapted to grazing purposes.

The following day we remained in camp to recruit the animals and repair wagons and harness. The pack trains, of a hundred mules each, appear to get along well, and improve daily, while the oxen move slowly and seem to falter on the road.

Our next movement was to a stream of water flowing into the Des Chutes. We found several cool springs around this creek, and grass of the best quality. The country passed over to-day is beautifully diversified with gently sloping hills and valleys; at one point there was a fine view for a long distance in every direction; six majestic snow-peaks were in sight at the same time—Rainer, St. Helen's, Adams, Hood, Jefferson, and Three Sisters. Oak and the short-leaved pine are found in abundance along this route. We named our encampment Quartz Spring, as here we discovered the first quartz that had been seen during the march.

Our course the following day was east of south to the Warm Spring river, a stream of twenty yards in width, fringed with cotton-wood; water cold and deep, with a swift current flowing into the Des Chutes river, a short distance from the reservation. A very steep hill was crossed over to-day in passing down to the Warm Spring creek, and the cañon through the Mutton mountains, a mile and three quarters in extent, is difficult for wagons. I consider the last part of the route, from Fort Dalles to the Warm Spring reservation, a very difficult region through which to construct a good wagon road, as from the

I give the following received of 1851 I purchased a cow and twenty-one dollars worth, valued at seven hundred and in my possession."

broken nature of the country the undertaking would involve much labor and expense.

We crossed from the Warm Spring creek to the Des Chutes river over a hilly country. Before reaching the river a plateau, of a mile in width, extends from the foot of the hills to the margin of the stream, the soil of which is of the lightest character, and but a few inches in depth. A few cedar and cotton-wood trees are scattered through this bottom, and the grass immediately along the river is luxuriant in growth, with bunch grass on the hill-sides sweet and nutritious in the highest degree.

The Des Chutes is a rapid stream, eighty-five yards in width, with its banks difficult of access, except at the crossing selected near the mouth of the Warm Spring creek. From our inexperience in the use of the pontoons, and the difficulty in crossing the animals, four days were consumed in making the necessary preparations and in crossing the river. The error that we first committed was in attempting to cross a loaded wagon on the pontoon flat without putting a sufficient amount of freight as ballast before rolling on the wagon; the flat being extremely light, and, in consequence, taking such a slight hold of the water, just as it reached the point where the current was deflected from the opposite bank with great violence, it was whipped over in an instant, and the contents of the wagon lost. After this accident several tons of freight were placed on the pontoon float before placing on the wagon, and it worked to a charm.

For a full description of the pontoons, the manner of using them, &c., I have already referred to the report of Lieutenant Houston, corps of engineers, appended and marked "B."

After crossing the Des Chutes river, our course was easterly until we arrived at Trout creek, on the night of the 17th. The delay in reaching this camp was caused by the difficulty in getting up the hill on the east bank of the Des Chutes; the wagons had to be unloaded, and contents packed up the hill by the mule trains.

We remained at Trout creek the next day to allow the ox train to reach camp. The road from the river to the creek being stony, the feet of the cattle were made quite sore; in consequence of this they travelled very slowly.

The valley of Trout creek is several miles long and half a mile wide, with this cool stream of water running through it. The creek is fordable at all points, has a hard, pebbly bottom, and is fringed with willows and cotton-wood.

Several farms can be located in this valley, as the soil is rich and the grass abundant, and its proximity to the Dalles, a market for produce, makes it desirable as a farming locality.

We left Trout creek at an early hour the next day, and travelled over a good road for a short distance to Sandstone spring, where, by using the spade, the quantity of water was materially increased, giving us quite a sufficiency for the large command. Wood was scarce, but grass abundant.

From Sandstone spring our direction was southeast to Cedar Spring valley. This valley is ten miles long, and varying from a half to a

mile in width, with a light arable soil; timber sparse, but grass abundant.

From this point we passed over a very good road, still moving in a direction south by east, until we encamped on Willow creek, a stream emptying into the Des Chutes, and surrounded for miles with the finest pasture lands I have ever seen. Wood was gotten from the neighboring hills, and trout were caught in the stream, the finest taken since leaving Fort Dalles.

From Willow to Cotton-wood creek, (so named from the large growth on its banks,) our road lay across a spur of the Blue mountains by an exceedingly gentle ascent, giving no trouble whatever. Most of the distance was through a cañon, with a fine growth of short-leaved pine on either side.

The next day our direction was nearly south until we encamped on the Achera, a branch of Crooked river. Here it became necessary to send parties in advance to explore the country before proceeding onward, as it was unnecessary to follow the meanderings of Crooked river to reach its headwaters.

Obtaining the required information, we took our departure at an early hour the next morning, travelling east by south over a rolling prairie country, interspersed with cedar and pine timber, until we pitched our tents at Antelope* spring. The spring is situated in a forest of pine timber, with an undulating country for miles around. I have seldom seen a more delightful spot. The scenery is beautiful, soil arable and good, timber in unlimited quantities for building and fencing purposes, and the extent of grazing country sufficient for numberless flocks and herds. Had this part of Oregon been explored, it must certainly have been settled long since in preference to other portions of the country more remote and far less desirable, as it possesses every requisite to make glad the heart of the farmer. Antelope Spring valley is only about eight days' travel from the Dalles, over a very good road, located by Lieutenant Bonnycastle on his return from the headwaters of Crooked river.

For the past three days we have gone over the best stock-raising country in Oregon. I doubt if it can be surpassed in any part of the Union.

We left Antelope spring with regret the next morning, travelling along Crooked river, and crossing the stream four times in our day's march. The river is fordable, with pebbly bottom, but its banks had to be improved by cuttings on either side, and by placing in brush and willows. Having so many animals to cross, it was necessary to make the banks very firm, the peculiarity of the mule being that he will not pull a pound if his feet become mired in the least. I have frequently seen them throw themselves down in the mud scarce knee deep, and all the urging of whip and spur could not get them up until unharnessed.

On the 16th we left our camp on the branch of Crooked river, crossing the stream three times during the day; water shallow, bottom good, and banks firm. The road to-day has been good; indeed, the

*So called from the success of our Indians in killing antelope at this camp.

entire distance from Trout creek to our present camp is over the best natural road I have ever seen. The country is filled with nutritious bunch grass, and water and fuel are found at convenient distances for camping and other purposes. All the principal streams and their tributaries are pebbly bottomed and skirted with willows; some of them from four to six inches in diameter, affording good fuel, and the waters are generally sweet and icy cold.

From this camp we passed over a steep hill to the adjoining valley, where Crooked river forks, one branch running north and the other southeast. After travelling a short distance in this valley, we encamped on a small stream of cool water emptying into the south fork.

Having left Fort Dalles on the 4th June, and not arriving at my present camp until the 27th, I deemed it a proper point to disencumber myself from the ox train and divide my command.

Accordingly, on the 1st of July, the command being properly apportioned, and everything in readiness, I started with my party, consisting of eighty-five dragoons, Lieutenant Sweitzer commanding; twenty-seven infantry, and eleven of the sappers and miners, Lieutenant M. A. Reno, 1st dragoons, acting assistant commissary of subsistence and acting assistant quartermaster.

Lieutenant John C. Bonnycastle, 4th infantry, was left in command of the depot and party to explore the route and work the road back to the Columbia river. For my instructions to Lieutenant Bonnycastle, and his report in reference to their execution, I have already referred to the document marked "A," appended. From this report it will be seen that an excellent route has been marked out from the headwaters of Crooked river to the Columbia, near Fort Dalles.

In following a southerly course from Camp Division we reach Three Pine creek, a stream of cool running water surrounded by excellent grass. There are three large pine trees in the elbow of this creek; hence its name.

A good road was passed over to our next camp on the south fork of Crooked river; we here found but little feed for our animals, and the water was warm, possessing alkaline properties. Crooked river runs over such an extent of country, and is so little protected from the rays of the sun that its waters are quite warm, besides being impregnated with alkali.

From the south branch of Crooked river to Buck creek our course lay through a barren, sage-brush valley, about thirty-five miles in length, and twelve in breadth, the surface in many places covered with alkali, and the soil generally loose and dusty. We named this Whirlwind valley, from the singular appearance constantly presented by the wind in carrying immense columns of dust to a great height; we found good water and grass at our camp on Buck creek.

Second Lieutenant Francis Mallory, 4th infantry, having joined yesterday, relieved Lieutenant Reno in the duties of adjutant to the command.

On the 4th of July we travelled on to a round lake, where we found grass for our animals, but the water not good, being colored, and tasting somewhat of the rushes with which the lake is filled. We

found great quantities of water fowl, a species of curlew, flying about the lake; some were taken and pronounced excellent eating.

We still continued to move on in a southeast direction to Lake Whatump, the water of which, as also that of the adjoining lake, is not drinkable; fortunately we discovered just under the bluff, running from the largest lake, a cool spring of limpid water. Lake Whatump is two miles long and half a mile broad; the other lake is quite small. On the terrace of the adjoining bluff were several circular foundations carefully laid in stone, evidently the work and habitation of men in by-gone years. We also traced the foundation of a kind of bastioned fortification; this impressed us with the idea that parties had been in the habit of wintering in this neighborhood, or that a small party had been driven to this commanding eminence, intrenching themselves against a superior force on the plains below.

Our camp being a pleasant one, and it was necessary to send in advance to reconnoitre the country, we remained over at this place the ensuing day.

At an early hour on the 7th of July the column was in motion, direction east, over a prairie until we came to a small stream which we crossed, and passed on to a large salt lake, twenty miles long and nine broad. We named this Lake Harney, in compliment to the general commanding the department of Oregon. We followed this lake, in which graceful sea-gulls and grotesque looking pelicans were disporting, for ten or twelve miles, with much fear that our animals would suffer for fresh water, when, to our agreeable surprise, in crossing over a sand ridge, and only one mile distant, we came upon a small lake of fresh water, not very good, but still drinkable; we named this Lake Stampede, as here we had some trouble with our horses.

Fearing that we had gotten too much to the south, and crossing an old road, we followed it until we reached what we supposed to be the waters of the Malheur river, lying near the base of the Blue mountains. The stream on which we encamped is sluggish, about twenty yards wide, and quite deep, with miry banks. It differed in appearance so much from the several branches of the Malheur subsequently crossed that I am fully impressed with the belief that this stream is not the Malheur, but that it is a slough emptying into a chain of lakes and morasses in sight from our subsequent camps, but many miles to the southward.

The grass being so fine at this camp, and the crossings requiring considerable labor, our departure was deferred one day to enable the engineers to perform this work, and to survey the surrounding country, as we appear to be approaching the gap in the Blue mountains through which we are to pass.

The next morning we passed up the stream for three miles to the crossing, and over the pontoon bridge skilfully constructed by the engineers on a branch of the main stream. After crossing the bridge the command passed on for three miles to the main branch of the same sluggish stream, where the banks had to be cut down and filled in with brush before the river could be attempted. We passed the animals and wagons over the ford, but it was necessary to put the

pontoons in requisition again for the construction of another bridge over which to pass the ammunition and subsistence stores, the water being too deep for the pack animals to cross with their cargoes.

From this crossing, our direction was east by north until we reached a small stream flowing directly from the Blue mountains and near their base. Our camp was then situated in a perfectly level and beautiful valley, extending from the foot of the Blue mountains as far as the eye can reach north and south, and from six to ten miles west, covered with luxuriant grass four or five feet in height. We are now in what Frémont calls the "Big Basin," extending seventy miles north and south and forty miles east and west, shut in on every side by lofty mountains; those lying south being snow-capped; those to the north rugged and precipitous, with the depression in the ridge five or six miles to the southward and eastward. After a careful examination of this ridge, we determined the next morning to proceed to a mountain stream five miles from the last, and almost immediately opposite the lowest point in the mountains.

On Tuesday, the 12th of July, we commenced the passage of the Blue mountains; our first day's travel being over a good road, having a gentle ascent, until we encamped on a running stream lying in a small cañon, where we had good feed for our animals and an abundance of wood and water.

At the last three camps we found an abundance of small game, such as curlew, grouse, and sage hens; many of these were taken and found excellent for the table.

We were compelled to double our teams the next morning to ascend a hill just in front of us; after this the road was good during the day's march. Our camp in the evening was on a branch of the Malheur river, running through a pretty valley a mile in width. Finding it impossible to follow the chasms made by the Malheur, as it breaks its way circuitously through the mountains, the banks being in many places a thousand or more feet in depth and almost perpendicular, we were obliged to bear off to the northward and travel over a stony road, which can be improved by removing the stones at small expense and labor.

Our next move was to another branch of the Malheur, a swift, pebbly-bottomed stream of pure cold water, where we found an abundant growth of berries; among them may be enumerated too kinds of currants, yellow and dark; gooseberry, service-berry, and the wild grape of Oregon. These berries are juicy and well flavored, and are much sought after by the Indians.

I was somewhat disappointed in our route, as I expected to find it better than it really is. A wagon road cannot be constructed over a chain of mountains, such as these before us, without having hills to pull over; all the science of the engineer cannot change the general features of the country. It is true the scientific labors of the engineer will materially improve the route, making it better than many of the roads in Pennsylvania over which teaming is done every day.

The next day's march was over a stony and rough road with a few sharp hills, compelling us to double our teams; the next and last

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day in the mountains was good travelling until we reached the main Malheur, lying east of the chain of mountains. The whole distance across this pass is one hundred and one miles—forty-four and a half miles may in truth be called a bad road, requiring the labor of a couple of hundred men for one season to put it in order; the balance, fifty-six and a half miles, is a good natural road, requiring very little improvement. As it turned out, our selection in the pass was indubitably the best that could have been made; for on coming out on the east side of the mountains we perceived that had we attempted the passage further south we should have had the Owyhee and Goose Creek mountains also to cross, and probably been led into an interminable labyrinth. After reaching the cañon between the Blue and Owyhee mountains, along which the Malheur river runs, we were forced to keep down the river before we could get round the northern end of the Owyhee range and on our proper course.

While encamped on the Malheur, I detached the topographical officer to explore the cañon through which the Malheur runs, with the view of ascertaining its practicability for wagons. Lieutenant Dixon was absent three days, having had a difficult trip, most of the time on foot, and reports the cañon impassable for wagons.

From the Malheur we passed over to the Owyhee river, and found excellent grazing—the river being fordable at all points, water sweet and pure. Fort Boisé, an old trading post of the Hudson's Bay Company, was situated between the Owyhee and Malheur rivers, on the north side of Snake river; the fort was abandoned in 1855, in consequence of the Indian difficulties—nothing now remaining but the adobe walls of the main building.

We were now in the valley of Snake river; but before leaving the Owyhee I despatched Mr. Schall, the guide, with an escort of dragoons, to explore the country behind the Owyhee and Goose Creek mountains for a wagon road. Mr. Schall was instructed to follow the general direction of Snake River valley, but thirty or forty miles south of it; he joined the command after an absence of nineteen days, reporting the country abundantly supplied with wood, water, and grass of the finest kind—the scenery picturesque and beautiful, and that an excellent wagon road can be constructed, running almost parallel with the present one in Snake River valley, but through a much better country. This route, from the Owyhee to Swamp creek, will require the labor of a command one season to put it in order.

We found the valley of Snake river, from the Owyhee to Swamp creek, a dusty, desolate country, covered with the sombre-looking sage brush. The valley is about two hundred and twenty miles long, width varying from a half to two miles. There is not much, if any, of the land valuable for agricultural purposes; it is without timber, the fringe of willow and the occasional cotton-wood not deserv- ing the name. It is, however, on the direct line of communication between the South Pass of the Rocky mountains and Oregon; the road passing through the valley and over a level country for a large part of the distance between the points named. It is by no means an inviting country to travel over. Still the road is level

for most of the distance, and the grass, though not abundant, is found at proper intervals for camping purposes. I am clearly of opinion, from my personal observation, that Snake river, a stream three hundred yards wide and not fordable, can be navigated by steamers, such as are now used on the Columbia river, for one hundred and seventy or eighty miles, relieving the land transportation for that distance and over the worst part of the route from the scarcity of grass.

If the Central Pacific railroad be the one adopted, a branch from Raft Creek valley to the mouth of the Umatilla, steamboat navigation on the Columbia river, over a distance of about four hundred miles and through a country well adapted to its construction, will connect Oregon and Washington Territory with the Atlantic States. The timber for the construction of this branch road can be floated down Snake river, thereby lessening the expense of building the road very materially.

On the 28th of July we were agreeably surprised at meeting Brevet Major Reynolds, of the 3d artillery, with his battery; we encamped together that night on Snake river, and in the morning following took our departures in opposite directions.

The next day, the 29th, we met the first of the emigration, and continued meeting others until we arrived at Raft creek. I gave them every encouragement, and promised to protect them from the hostile Indians.

At Salmon falls we met Indians, the falls being much resorted to for the salmon and salmon trout; as we passed the Indians were catching them in abundance.

At Raft creek we saw a large encampment of emigrants; the major part getting on well, but some in a starving condition. I relieved their necessities by ordering those who were destitute to be supplied with provisions.

At this point I determined to make a camp to recruit my animals before starting back; to leave Lieutenant Mallory, of the 4th infantry, in charge of the camp, with instructions to fall back to Swamp creek, where the grass was better, if he deemed it advisable, and to make a reconnoissance of Snake river as far up as Fort Hall. The camp was moved to Swamp creek, and the route satisfactorily examined by Lieutenant Mallory during my absence.

On the morning of the 8th of August I left camp, on Raft creek, with an escort of twenty dragoons, under Lieutenant Sweitzer, to explore the valley of Raft creek, with the view of shortening the route to Salt lake. We found the road along Raft Creek valley level, the valley being thirty eight miles in extent; and although my wagons were the first that ever traversed it, I can recommend the route as easy and practicable, with plenty of wood, water, and grass.

Having now reached the broad road leading from Salt lake to California, at the head of Raft Creek valley, it will be unnecessary for me to describe the route passed over by us, thence to Camp Floyd, as so much has already been written on the subject. Suffice it to say that I have never passed over a better road, and that to the ferry on Bear river the grass and water is sufficient for emigration. After crossing

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the ferry the road passes through the Mormon towns of Box Elder, Ogden City, and the City of the Great Salt Lake, and across the River Jordan to Camp Floyd; the distance from the ferry to the camp being one hundred and twelve miles.

Salt Lake valley is irrigated in every direction by streams led from the adjacent Wahsatch mountains; as the valley east of the lake is nearly all under cultivation, pasturage has to be hired for animals, there being no vacant grazing lands.

My detachment arrived at Camp Floyd on the 16th, and remained there until the 20th of August, drawing such supplies as we were deficient in for the return trip to the Columbia river. I reported to Brigadier General Johnston, commanding department of Utah, in accordance with my instructions, and the general extended to me every facility for the prosecution of my labors.

On the 20th of August I left Camp Floyd with the necessary supplies, and reached Major Lynde's camp, on Bear river, on the 26th.

The ox trains moving slowly, and fearing that I might be caught east of the Blue mountains beyond the 1st of October, I applied to Major Lynde for mule teams to transport supplies to my depot on Swamp creek. Major Lynde kindly consented to loan me twelve six-mule teams, detailing part of a company of dragoons, under Lieutenant H. B. Livingston, 2d dragoons, to accompany me and return as an escort to the wagon train. This service was handsomely performed by Lieutenant Livingston, the train reaching my depot on the 31st of August, where I found that all had been conducted by Lieutenant Mallory during my absence to my entire satisfaction, and for the best interests of the service.

The morning of the 3d of September being bright and beautiful, and the emigration having all passed, we struck our tents and took up the line of march for Fort Boise. The route along Snake river to that point having already been described, it will only be necessary for me to add that we were compelled, from the large emigration that had passed over the road, to drive some distance up the stream for grass, and to use several islands in Snake river, where the animals found good grazing.

My return trip was slow, halting several times to allow the emigrants to keep up with the command. On the Owyhee river I waited nine days, sending back Lieutenant Sweitzer with a mounted command and spare animals to assist several families who were behind us in distress. Three families, consisting of seven men, three women, and fifteen children, were found in a very destitute condition, without food or the means of transportation. They were supplied with both, and, but for this timely assistance, they must all have inevitably perished.

Much suffering has been spared those crossing the plains by the presence of my command on Snake river, by protecting them from the hostile Indians and in supplying provisions and transportation to those families who were destitute.

Many of the emigrants of last summer started from the Missouri frontier under the impression that they could renew their supplies at Fort Hall and again at Boise; but, as these posts were abandoned

long since, they found themselves hundreds of miles from relief, in a starving condition. I trust that my orders to furnish supplies to these distressed and suffering people will meet with the approval of the general commanding and the government.

We left the Owyhee on the 24th September, passing again to the Malheur, and from thence, over a very good road, to Birch creek.

Before reaching the creek we passed a sulphur spring; water scarcely drinkable, and not in sufficient quantity for the command. From Birch creek to Burnt river the road is hilly and stony, but the route furnishes good grass and water.

We crossed Burnt river (a stream twelve yards wide) a number of times before leaving the district of country through which it winds itself. The crossings had been made by Major Reynolds, on his way to Fort Vancouver, Washington Territory, so that we were relieved from all difficulty.

From Burnt river to Hollow spring, Powder river, and from thence to the Grand Ronde, the road is very good, and the encampments furnished plenty of wood, water, and excellent grass.

The Grand Ronde valley, twenty miles long and twelve wide, with a rich soil, intersected by rivulets that can be conducted in any direction for irrigation, with timber on the surrounding hill-sides for building and fencing purposes, and with a scenery picturesque and grand, offers every inducement for settlement. The hills, in passing in and out of the Ronde, are difficult; but our loaded wagons were taken out and over a distance of seventeen miles between the hours of 8 a. m. and 4 p. m.

Our next camps were at Grand Ronde river, Lee's encampment, and the Umatilla. Upon reaching this stream, we had recrossed the Blue mountains, and our road now followed the river to its mouth and to steamboat navigation on the Columbia river.

The first Indians encountered were near the forks of Crooked river, and about one hundred and eighty miles from the crossing of the Des Chutes. These were the Digger Snakes, inhabiting the valley of Crooked river, and those adjacent; sometimes extending their camps as far north as the headwaters of the John Day, and as far south as the "Two Buttes," forty or fifty miles south of the mouth of Crooked river.

They subsist almost entirely on roots, insects, and fish taken from the numerous streams flowing from the mountains surrounding the valley of Crooked river on either side. I do not consider these Indians formidable, for the reason that, with few exceptions, they are armed with bow and arrow, and, having no intercourse with the whites, they are not provided with guns and ammunition.

The next Indians met were those living in the "Big Basin," about one hundred and twenty miles further to the southeast. They are of the same class as the Digger Snakes of Crooked River valley, living on roots and insects, clad in skins, and using the bow and arrow. These Indians are very poor, being entirely without stock of any kind. We remained in the "Basin" several days, and must have seen their traces, had any existed. They are extremely shy of the white man, and could not be induced to visit my camps, but communicated through

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friendly Indians. They had very little knowledge of the existence of
white people; the white man, with them, was more a fiction or tradi-
tion than a reality.

The next Indians met were at the river Bruneau and those fishing
at the Salmon falls, on Snake river. These were the Bannach Snakes,
athletic men, well armed, and formidable. Doubtless these Indians
are in the habit of visiting the valley of the Great Salt Lake, and de-
rive their supply of arms and ammunition from that source.

While on Bear river, at the entrance of the valley, I met a chief of
one of the Bannach Snake bands, his band living in the Goose Creek
mountains, who spoke broken English; he could have learned the
language nowhere else, as he has never had intercourse with white
people living west of the Blue mountains.

These Bannach Snakes are numerous and formidable, roving about
in bands of sixty or seventy, and not having been impressed with the
powers of the white man, are constantly annoying small parties of
emigrants passing through their country. They extend from Fort
Boisé, on Snake river, for several hundred miles along the river,
both on the north and south side of it, committing their depredations
as far south as the road leading from Salt Lake to California. The
emigrants destined for that part of the country were much harassed
by these marauding bands during the past summer.

Since leaving Fort Dalles, on the 4th of June, our explorations and
surveys have extended over several routes, with the view of selecting
the shortest and best: the shortest with reference to speed in carrying
the mails and supplying the valley of the Great Salt Lake with pro-
visions; the best with reference to water and grass, indispensable
requisites for emigration.

We have found the country from the Columbia river across the Blue
mountains, near the point where the Malheur winds its way through
them, an excellent route for water, wood, and grass. The pass across
the mountains will require labor and the expenditure of some money
to make it a good wagon road. I am of opinion that all that is re-
quired to make this route perfectly practicable and useful can be ac-
complished in one season after a careful survey by a competent engi-
neer. I can then recommend the route to the emigrant, the feed being
abundant, and almost as nutritious to animals as stable food. The
road which crosses the mountains at this point leaves the Snake River
road at the crossing of the Malheur, and leads directly to those beau-
tiful valleys already described, and should therefore be opened with as
little delay as possible.

The route along Snake river, from Fort Boisé to Raft creek, is level,
and may be termed a good road, with water and grass at intervals of
from fifteen to twenty miles.

I have shortened the route from Fort Dalles, on the Columbia river,
to the valley of the Great Salt Lake ninety-eight miles by the cut-off
from Swamp creek to Raft Creek valley, and up that valley to the
California road. The new route is marked by sign-boards.

The shortest and most direct route, then, that can possibly be found
between the Columbia river and Salt Lake is from the mouth of the
Umatilla river, crossing the Blue mountains at the Grand Ronde, but

not touching Snake river until within forty miles of Boisee, and from thence along Snake river and over the cut-off already described.

There is steamboat navigation on the Columbia to the mouth of the Umatilla, and at no distant day steamers will be plying on Snake river between the points already mentioned.

Fuel for steamboating on that river can be supplied from the Boisee river and from the neighborhood of Fort Hall. If steamers are never placed on Snake river, the fact has been demonstrated, by the expedition under my charge, that Oregon can supply Salt Lake with all articles imported better and cheaper than they can be derived from any other part of the Union. The entire land travel can be accomplished in one month. I made the trip with loaded wagons in twenty-eight days.

In conclusion, I would respectfully state to the general commanding that the expedition intrusted to my command during the past summer has served a double purpose. The resources of a country heretofore unknown have been developed, all the country on both sides of the Blue, Owyhee, and Goose Creek mountains travelled over, carefully measured and mapped, and the troops being among the various tribes of Indians along the several routes over which the weary and defenceless emigrants were to pass, furnished them the required protection to reach their new homes in peace and safety.

Much suffering has also been alleviated by our movements, in the timely assistance of transportation and provisions to destitute families.

The health of my command has been excellent, and the condition of the animals on their return very fair, viewing the fact that the most of them have performed a march of nineteen hundred miles in four months and sixteen days.

Not a dragoon's horse has died, and but few of the mules; nor have we suffered the loss of a single animal from theft by the Indians during the march.

I feel under obligations to the officers and soldiers of my command for their cordial co-operation, and to the employes for their willingness and good conduct during the expedition.

All of which is respectfully submitted.

I am, captain, your obedient servant,

H. D. WAILLEN,

Captain 4th Infantry, Com'g Expedition.

Captain A. PLEASANTON,

2d Dragoons, A. A. General,

Headquarters Dep't of Oregon, Fort Vancouver, W. T.

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FORT VANCOUVER, W. T.,
September 15, 1859.

SIR: In compliance with directions from the general commanding, I have the honor to submit the following report with reference to the

route followed by me in returning from the camp on Crooked river, at which the command of Captain Wallen was divided.

On the 30th of June last I received from Captain Wallen the following instructions, viz :

HEADQUARTERS WAGON ROAD EXPEDITION,
Camp near the forks of Crooked river, June 29, 1859.

SIR: Having arrived with my command at this place, near the forks of Crooked river, it becomes necessary for me to divide the column, part taking the right or south branch of the river towards Salt lake, under my command, and the balance the left or north branch towards Fort Dalles.

That portion of the command returning on the Columbia river will be under your orders, and after making the preliminary surveys over the several Indian trails leading across the spur of the Blue mountains in the direction of "Scholl's Butte," you will select the shortest and best for the wagon road to Fort Dalles.

From the best Indian information, the most direct route from the "Camas prairie," on the left or north branch of Crooked river, is over the "Whaptapas," a stream emptying into the John Day; from thence to the "Chopomgaz," another stream flowing into the "John Day," and from thence to "Scholl's Butte," within two miles of the "John Day" river.

From that butte to the Des Chutes bridge the country has been explored, and was found perfectly practicable for wagons.

The route described by these instructions and the accompanying map will lead you in a northwesterly direction from your depot to the Dalles, and it is desirable that this course be pursued with as little deviation as the mountainous country will admit.

It is important that your success in getting across to "Scholl's Butte" be communicated to me. You will, therefore, write me by every express messenger the results of your enterprise. If no mail carrier is sent to me, *Indians* must be hired to convey the intelligence.

Your success will enable me to explore the country east of the Blue mountains and return to the Columbia river by a different route than the one already passed over.

I am convinced that this part of the route could not be left in better hands, and that if a road can be made along the route proposed, you will not go to the Dalles by any other.

Hoping that you may have every success and a pleasant time, I remain, very respectfully, your obedient servant,

H. D. WALLEN,

Capt. 4th Infantry, commanding Wagon Road Expedition.

First Lieutenant JOHN C. BONNYCASTLE,

4th Infantry.

At daylight, on July 1, Lieutenant Robert Johnston, 1st dragoons, left my camp to explore the route indicated in the above instructions, viz: the "Chopomgaz" and "Whaptapas" rivers, having received from me the following instructions, viz :

H. Ex. Doc. 65—15

CAMP SALT LAKE, WAGON ROAD EXPEDITION,
Cañon Crooked river, July 1, 1859.

SIR: You will proceed on to-day with fifteen men of your company, accompanied by the Indian, Whitka, and Mr. Samuel Johnston, wagon-master, all rationed for ten days, to examine the country between this point and the stream down on "Scholl's" map as the "Chopomgaz" river, with reference to the practicability of passing wagons over it. Your course, according to the map above referred to, will be west of north, leaving the valley of Crooked river at or near the point at which a small stream enters that river just above the cañon, following up that stream as long as, in your judgment, the road continues good for wagons, unless at some point a better route shall present itself. Arrived near or at the head of this stream, you will cross the ridge to the "Chopomgaz," and if the route appears good for wagons, follow down that river till you find an easy route to the westward towards "Scholl's Butte."

These instructions are given thus explicitly as embodying the directions given by the officer in charge of the wagon road expedition, (Captain Wallen, 4th infantry,) but you are expected to exercise your own judgment in the reconnoissance of the country; and should a better or a good and more direct route offer, you will, if possible, explore that and decide between the two. Should you find the route indicated bad or impracticable, and if your supply of provisions warrant it, it is highly desirable that you pass from the "Chopomgaz" river eastward to the "Whaptaplas river," and up that stream, coming over to the "Camas prairie," and thence back to this camp.

You will endeavor to take such notes of the country as will enable you to make a correct map of the country over which you pass. A rough sketch, made, I believe, from Indian reports, of the route proposed for you is herewith enclosed.

I am, sir, very respectfully, your obedient servant,

JOHN C. BONNYCASTLE,

First Lieutenant 4th Infantry, Commanding.

First Lieutenant ROBERT JOHNSTON,

1st regiment Dragoons, Commanding troop "H."

On the 16th of July Lieutenant Johnston returned to my camp and made the following report, viz:

CAMP ON "LEPUATION" CREEK, *July 6, 1859.*

SIR: In compliance with your instructions of the 1st instant, I proceeded to make an examination of the country to the west of north from this point, with a view of finding a practicable wagon road to a butte known as "Scholl's Butte."

In compliance with your instructions, I crossed "Crooked river" at a point about three miles from camp, and moved up a small tributary thereof which enters it from the northeast about one mile, when I found it cañoned, and I could not follow it further. I then crossed it

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and descended the hill to the west, and followed a direction very little
 north of west for about three miles, when I came in sight of the timber
 on the top of the spur of the Blue mountains, which I had to cross.
 Following a direction of about twenty degrees west of north, I ascended
 a mountain and reached the top at a distance of about ten miles from
 camp. I crossed it in a direction north of west on to the headwaters
 of one of the tributaries of the "Whaptapas" in about four miles. I
 followed this stream down in a direction about north for five miles,
 and entered the large "Camas prairie," which is in dimensions about
 five miles east and west and about three miles north and south. Sev-
 eral small streams run through it to the east, and from the "Whap-
 taplas."

Crossing this prairie, I ascended one of these tributaries about north
 for four miles, when I crossed the last range of mountains and struck
 the headwaters of "Strawberry creek." I followed down this creek
 about ten miles, to where it leaves the timber; here it turns to the
 eastward and runs about northeast into the "John Day" river, at a
 point north of the mouth of the "Whaptapas." The "Whaptapas"
 enters the "John Day" about twenty miles east of this point, and
 here I found the headwaters of the "Chopomgaz," which river I
 found ran due west for twelve miles, when it gradually bends to the
 north and enters the "John Day" directly from the south.

The road follows along the north bank of the river (Chopomgaz)
 for nine miles, when it ascends a hill, and, following in a parallel
 direction to the river, strikes it again at a distance of three miles.
 Between these two points the trail marked on the map furnished me,
 from the Camas prairie on Crooked river, *via* the "Whaptapas," to
 the "Chopomgaz" river, comes in. From this point, where the trail
 strikes the river the second time, its direction is north of west across
 the bend, when it crosses it about one and a half miles from its mouth.
 A wagon road could be made from Crooked river to this point, with a
 great deal of labor at the "Chopomgaz." It is impossible to carry
 wagons further. The impassable hills on the "John Day" river are
 here connected with the spur of the Blue mountains by a chain of
 volcanic hills, over which it is impossible to take wagons, and which
 cannot be turned in any direction. An Indian trail runs over these
 hills to the mouth of "Tygh creek." I followed it for some three or
 four miles. Its direction was northeast across a point of hills to the
 "John Day" river, thence along the bank of the river for a few
 hundred yards, and thence across steep, rocky points, when the river
 bends off to the north and follows on to the west. At this point a
 small tributary of the "John Day" enters from the south and is the
 last water for a day's ride.

I judge it to be about one hundred miles from the "Chopomgaz"
 to the mouth of the "Tygh," and about forty miles is over these hills.

The Luake Indian who accompanied the guide furnished me proved
 of great service, as the guide was perfectly ignorant of the country.
 The information he (the Luake Indian) gave me of the country before
 I passed over it proved to be correct. I have therefore reported on

the country to the west of the crossing of the "Chopomgaz" with every confidence of its truthfulness.

I am, sir, very respectfully, your obedient servant,

ROBT. JOHNSTON,

First Lieutenant of 1st Dragoons.

First Lieutenant J. C. BONNYCASTLE,

4th Regiment of Infantry, Commanding.

Finding from the above report of Lieutenant Johnston that the route along the "Chopomgaz" and the "Whaptaplas" streams, by the John Day river, was impracticable, after waiting in camp one day to rest the animals that had been out with Lieutenant Johnston, I moved my train westward over the same road over which the command of Captain Wallen had passed in going out, hoping from explorations to the north of that road to find some practicable route over the spur of the Blue mountains, which, enabling me to pass to the westward of the "volcanic hills" referred to by Lieutenant Johnston as barring further progress down the "John Day" than the mouth of the "Chopomgaz," should enable me to strike the John Day further down and thus cut off more distance.

In this, however, I was disappointed, the long high hills of the spur of the Blue mountains offering no opening through which I might pass; so I reluctantly continued on the same road until having reached the gap through which we passed this spur on the outer journey. I left the train encamped with excellent and abundant grass and water, and accompanied by Wagon-Master Johnson, a man of good, sound, practical sense, and of experience in road-making, and six dragoons, I took the left branch of the stream flowing through this little valley, and, following it up as far as practicable for wagons, crossed the spur with but little difficulty, and during the succeeding six days I rode over that portion of the country lying between John Day river and my camp, finding the whole of it broken by high, bare hills mostly, and nowhere any road over which it would be advisable to bring wagons. It is true that I could have passed the wagons over this country, but the hills were so long and so numerous that it was far preferable to go over the same road which we followed in coming out. Having ascertained by actual examination that no better road could be found than the one the train was then on. I sent back and had it move on to Trout creek, which enabled me to continue my search a couple of days longer. On the arrival of the train at Trout creek, I having ascertained that the best route lay over the hills down which we had come into Trout Creek valley, and then bore to the right of the old road, I moved on the next day over this hill to the next water, and thence along a broad ravine, through which ran a stream of fine water, on to a broad and deep ravine, which, after turning in several directions, had its mouth at the "John Day" river. About eight miles north of this another deep and broad ravine intersected the country, and, going in the opposite direction, had its mouth at the Des Chutes river. The heads of these two ravines are divided by a low ridge, which, from the numerous ravines intersecting the country, it was not easy to discover at first, but it was

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along this ridge that the proper road ran, and having found it there was no further trouble in taking the train into the Des Chutes bridge, though, from want of a guide who knew where to find water, I was forced to lose a large portion of one day and to make a much longer march on the next than was my wish.

I found throughout my return plenty of "bunch" grass and generally good water, always sufficient for my large train, and the road over which the train passed I regard a good one, having but two hills of any difficulty, the one at "Trout creek," the other at Crooked River cañon.

The distance passed over by my train in returning does not differ materially from that passed over by the command in going out; but while the most difficult portion of the road in going out lay between the Dalles and Trout creek, on my road returning that portion offers only the hill at Trout creek as a difficulty.

The return of my command with seventeen ox wagons and some six-mule teams from the point on "Crooked river" at which I separated from the main command, into Fort Dalles, occupied only twelve travelling days, and I am satisfied that had the route been known beforehand as to watering places, grass, &c., I should have brought the train in easily to the Dalles in ten days, which would have given me an average of seventeen miles, or a little more, to the day, which fact in itself suffices to demonstrate the character of the road.

Enclosed I offer a map which I have made of the country examined and passed over, which I believe to be, in the main, correct, and from an inspection of which it is believed that a better idea can be had of the difficulties in the way of making a wagon road up to the banks of the John Day river, or in fact anywhere except along the route actually travelled, than from any description of the country which I might be able to give.

I am, sir, very respectfully, your obedient servant,

JOHN C. BONNYCASTLE,
Lieutenant 4th Infantry.

Captain A. A. PLEASANTON,
Acting Assistant Adjutant General, Fort Vancouver, W. T.

74 c.

FORT DALLES, OREGON, December 3, 1859

CAPTAIN: I have the honor to submit herewith my map and report of the exploration of the Great Snake river, for the purpose of finding a more practicable and better adapted road for wagons than the one now existing along Snake river to the Great Salt Lake valley.

Referring you to the accompanying map, it will give at a glance, in detail, a true and correct idea of the country I traversed. As I had no instruments to take observations, there will be some difference in regard to the correctness of my camp, as laid down on the map.

I left the mouth of the Owyhee river July 22, about six miles below

Fort Boisé. During the first few days I had a somewhat tedious journey, travelling mostly in close proximity to the river, crossing and recrossing the stream many times each day. This river flows for thirty miles in a close and narrow defile, through a solid field of curious shaped lava mountains. Sometimes the bluffs were hundreds of feet from the water's edge. Oftentimes these bluffs appeared to be solid fields of red chalk and zinobe. Only by the greatest care of the animals my party arrived safely in about forty-five miles from the mouth of the river, at its first tributary. It is a small rivulet of cold, clear water, tumbling down a narrow stony cañon from the east. A number of Snake Indians, with their wives and children, who had first run up the steep bluffs at our sudden appearance, but had, however, soon returned, gave me much good information. Game is no doubt in abundance in this neighborhood, as their chief subsistence is dried venison, of which they had an abundance.

July 26.—I ascended a narrow gorge, following a well-beaten Indian trail. The landscape changed suddenly as by magic. The sombre color of the hills and bluffs, barren the entire distance I traversed to date, changed suddenly to a most cheerful green; some of the finest flowers I noticed along the trail, which led me after only two hours' ride to the summit. The ascent was gradual. A most lovely picture presented itself. The country was covered with all hues of flowers. Grass in abundance; timber also. A beautiful but small lake laid close below me in the bright morning sun, and then a level plain beyond as far as the eye could see. Towards South Pass was a high range covered with heavy timber, and a little scattered snow could be seen towards south. Another higher range of mountains due east, covered with snow, lost itself in the far-off distance. Towards noon, crossing previously rich bottom land and a few small rivulets, I encamped in a level valley of large extension, close to a small brook. Prairie chickens and sage hens were in abundance here. Signs of a late Indian camp, left in haste, was in close proximity. A few Indian boys, who belonged to the camp at the Owyhee river, returned on horseback, close by our camp, having no doubt brought the news of our arrival throughout the valley beyond. The course to-day was southeast.

July 27.—The country to-day is still more favorable for extensive settlements; two large creeks flowing towards Lake Ella I crossed. The soil of these broad valleys is excellent. The Indian trail ran due south, and various attempts to cross the rocky ridge towards east was fruitless. Six miles from camp I arrived at a fine creek, and four miles further my party followed up a level valley to the head of its waters. Eight miles more, traversing a gold-bearing country, I crossed another large creek. The quartz boulders were scattered all around; they are of the purest white, and of numerous sizes. Passing over a low divide to another creek there are high bluffs of solid quartz along a well-beaten Indian trail. To Kearney river is four miles. This stream passes through a rich and broad valley. Only dense willow bushes grow along its banks. The rolling country around abounds in most excellent pasturage. Pea vines, clover, and timothy cover the rich soil. A high mountain range, with its snow-

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covered peaks, lay toward south, its base only two hundred yards distant from camp. The river changed here its course and runs due east.

July 28.—To day I attempted to keep a true southeast course, but was forced on account of high, rolling hills to retrace my steps towards the river. The stream runs here between very high precipices; it abounds in large salmon; wild berries of all description grow here in abundance. Towards the north is an extensive range of mountains, with some snow peaks and plenty of timber. My two packers, adjusting a pack which had got loosened, were attacked by two Indians on the crossing of a creek, and post haste the pack mules driven at a rapid pace; they arrived quite excited in camp. The Indian trail which I had left in the morning I followed here for eight miles and a half, crossing various small and large creeks with rapid courses, and crossed the divide between two fine streams. The river flowing through this divide, which extends on the opposite side, due south, passes through an enormous narrow and rocky gorge, which presents a very picturesque appearance. I estimate the height of the bluff at about five hundred feet.

July 29.—All animals last night were very unquiet. We heard human voices, also the neighing of horses, opposite the creek, beyond the willows. About the time of breaking up camp, an Indian on horseback, quite fantastically dressed, charged along the brink of a hill in close proximity, yelling and swinging his red blanket and rifle; he soon disappeared in the distance, when I rode boldly up to his position. We followed in his footsteps nearly the entire day, occasionally having a glimpse of him two or three miles ahead, talking aloud, no doubt reporting through the valley around our arrival. In eleven miles from the previous camp I arrived at the first springs of Voedney river, by a gradual ascent. To the west, extending from north to south, a high rocky mountain precipice, four or five miles in length; there are also a few more springs in this high flat, the waters running in the opposite (southern) direction, and are no doubt the headwaters of another tributary of the Owyhee river. This little stream passes through a narrow cañon, covered with dense underbrush, and heavy cottonwood and poplar. Several Indian trails led through the pass, which I named "Harney Pass." To avoid any collision with the treacherous Indians in the narrow defile, I ascended gradually a high hill, from which summit I had a most excellent view. Towards south, a broad and extensive valley stretches far away from north to south; in a western direction, and covered with heavy pine wood, ran a high mountain range; towards east, a dreary and desolate volcanic country extended, which, at various intervals, presented high bleak buttes; greasewood covers sparingly the neighboring low hills; from the summit, with gradual descent, a distance of five miles, I arrived at several small creeks, heading towards the high bleak buttes previously mentioned; distant thunder, and a few rain drops, mingled with hail, forboding ill, and near plenty of wild sage for fire wood, I halted, constructing small willow huts for shelter; a heavy thunder storm raged for an hour, but by the approach of night it ceased, and with a feeling of security, to have outwitted the red skins who had, no doubt, watched our approach

through "Harney Pass," we laid down to rest. By daylight the next morning, being very sanguine the rain had obliterated all footprints, I sent an Indian out to see if any of the red men had been in our neighborhood since last night, and a few moments after his return, reporting that horsemen had crossed and recrossed our previous day's march, I ordered an early start.

Two of the pack mules were packed, when suddenly, and with a yell, several Indians on horseback charged toward camp, swinging their spears and rifles; only one ventured to a distance of one hundred yards. The dragoon horses, happily well secured, were trying to stampede, and never did I see quicker time made saddling and breaking up camp. The Snake Indian who accompanied me from Fort Dalles did me good service; after a few words of conversation between him and our enemies, they ventured nearer, and came into our camp. One of these Indians, the spokesman, rode a horse, and had a fine silver-mounted rifle in his possession, which belonged to one of a party of six men who left the Dalles late in October, 1858; only one of them survives, and he reported to us in Salt Lake, where he at present domiciles; all his companions had died or starved to death; he, however, had all the money of the entire company in his possession at the time of his arrival in the valley, and no doubt there was foul dealing amongst them; his own statements were contradictory. The Indians here are large and well made. A few trifling presents with blankets and tobacco took them by surprise, and after giving me a general idea of the country, I left them in our camp. Their advice I mistrusted, and instead of keeping a due southern direction, toward which several Indian trails pointed, I followed a due southeast course, over a very rocky but level country, occasionally crossing deep ravines, which are all headed from the few springs and creeks we had encamped on the previous night. These ravines can all be avoided by keeping a mile or two more westward. Towards south and southeast, to all appearances, a level prairie ranges; berries abound in all the ravines I crossed to-day; antelopes were seen in every direction. On a high plateau, near a few springs, and amidst a heavy shower, I encamped. This far all the animals had a most excellent opportunity to improve, and only the negligence of the man having had orders to take sufficient horse-shoe nails for a trip of twenty-five days, especially for the dragoon horses, gave rise to much ill feeling amongst the men.

July 31.—I travelled over a country with about the same features as the previous day—a level country, but covered with small round stones. In about ten miles from camp I arrived at a fine stream, and travelled ten miles in close proximity to this stream. We passed various deserted Indian encampments. The valley widened the further we advanced, and by noon we arrived in a most beautiful prairie about ten miles wide, into which innumerable small streams emptied. Game abounds here. A high snow peak, with its abrupt bluff, is the eastern boundary of the fine prairie in a distance of about fifteen miles. Towards the southwest low, rolling hills are seen. We encamped at another fine stream emptying also in this prairie only three miles from the previous one. Here quite an exciting scene took place. An Indian had encamped only a few moments before our arrival in sight.

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His pack animals were to all appearance turned out but a few minutes when his squaw noticed us. The next moment she caught the nearest pony, and, without bridle or saddle, rode in full gallop towards the nearest mountain. The Indian took advantage of our admiration about the horsemanship displayed by his woman, lassoed the best horse in the small band, and followed her footsteps. A well-selected stock of winter supplies they left behind—buffalo robes, elk and deer and antelope skins; kaus kamas, and every variety of wild berries constituted their larder. Our animals, well secured for the night, made several attempts to stampe.

August 1.—To-day I kept a due southeast course, avoiding many rocky ridges, which ran in all directions in ascending towards the next mountain range. I reached two low hills, between which I gave directions to pass, when, to my surprise, on both eminences, I discovered Indians looking over some boulders at us below. I immediately ascended the hill with the detachment to our left to gain a plain view of surrounding country. The Indians seeing this manœuvre, darted in full tilt down the hill to the right, and joined their brethren in our immediate neighborhood, yelling and howling like wild beasts; they surrounded us. Many were on foot selecting the best hiding places behind the rocks. I halted, and gave directions to close the column. Captain Graham and five privates in front, their hands on their sabres; then the pack animals and the two packers, and the rear consisted of the four remaining dragoons, with their Sharp's rifles in hand. This little band rode on, whilst I, with only two Indians, boldly rode up to the greatest number of Indians holding consultation. They received us coldly and with frowns. The Snake Indians explained to them our visit into their mountains, and, ere many minutes passed, we had smoked a pipe and made friendship at my expense of a pair of new red blankets, tobacco, and other minor articles. I gave it to them freely, regretting, however, the loss of this another pair of fine blankets, which can ill be afforded to be spared in these high mountain regions during the cold nights.

They showed me their trail to reach Great Salt lake, and advised me to keep it, also informed me that only three days' travel ahead several white Bostons were inhabiting a log-house. The fugitive Indian of yesterday informed me that the Mormons had told them the soldiers would come during the summer and kill them all. By giving me all the information of their country, they advised me to keep a due south direction, to avoid several very deep ravines not far distant. In a general direction southwest, I crossed to-day many fine streams, running all north in narrow defiles of basaltic rock.

August 2.—By a gradual ascent, crossing many small ravines, the trail leads in about twelve miles to a very deep cañon. The trail winds its zigzag way both down and up. Eleven miles further brought me in the immediate vicinity of a snow-field. Grass abounds over all the hills and dales, and rich soil extends both over high and low land.

August 3.—To-day I am obliged to change my general course. The high mountain range, with its seven isolated peaks, form here, towards east, a right angle, and a broad and deep gorge cuts the moun-

tain in twain and crosses the country. There are only three deep ravines, which can by a liberal appropriation be made practicable for wagons. These three ravines contain mountain torrents, with very swift currents.

Our camp at night was on the slope of the steep bank of the best ravine, as close as possible to the water. The banks of this river are covered with large cottonwood trees.

August 4.—The trail leads in a nearly due east direction, and crosses a beautiful level country, covered with most luxuriant grass, very often crossing small and large creeks. Travelling only four miles distance from the low mountain range running due east, I passed six small creeks and valleys, glad with the green grass, a true sign of a high latitude, and encamped near several rivulets with crystal water.

August 5.—The same due east course I pursued to-day, and crossed creeks at short intervals. Descending from the higher plateau, I arrived in a broad valley. The vegetation changed here entirely; miles of artemisia and heavier sage covers the surface. Basalt and volcanic rocks are in close proximity near the small river. A solitary high black butte stands on the right bank, and the surrounding level country is covered with a number of small and large perforated black stones, no doubt thrown from the crater of this isolated peak. The valley up the creek due south is about three miles wide, and stretches far away. Higher hills, covered with a reddish, barren sandstone, descend on both sides to the valley's edge. After ten miles' brisk trot, crossing a small rivulet about half way, I encamped on the opposite side of the valley. Here I reconnoitred towards south and east, but finding no signs of any trail, I directed, next morning, August 6, my course northwest for about seven miles, when I entered the valley of the Snake river again. To-day I kept in close proximity to the mountain range, and arrived, crossing only one large creek, in the evening near the old emigrant road on Rock creek.

The Indian trail follows along the foothills as far as Swamp creek, a distance of about forty miles, thence across the Raft River valley, south of Colonel Lander's wagon road.

On the 7th and 8th of August I continued my march on the dusty old road, and arrived in the raft camp, happily, that same afternoon, as our stock of provision was entirely exhausted by liberal issues to the begging Indians.

Thus far, the entire distance from leaving the Owyhee river, a most excellent wagon road can be made, with the only exception of three deep cañons near the Seven-peak hills. On various places such a road must necessarily pass and deviate a short distance either to the right or left from the course I pursued.

For agricultural purposes there can be no better soil found in Oregon. Water is at very short intervals, and of the purest kind. The emigrant road should be laid through the country I traversed, avoiding the Snake river entirely from the Owyhee river to Harney lake. According to astronomical observations taken near Lake Harney, and others near the mouth of Malheur river, Fort Boisee don't exceed sixty miles; and from my actual observations from a high plateau near Lake Harney the road would pass through a well-watered and

fine grazing country. I would also state that the Blue Mountain range does not connect with the so-called winter ridge, but, like the Snake river, turns suddenly due east.

I left Raft river the 10th of August, and pursuing the same old Indian trail which I found near the "Sublettes Cut-off," I arrived that night at the Summit springs, travelling through a very favorable country all day for running a wagon road. From these springs, turning downwards into a broad open valley the succeeding day, thence across a divide to Deep creek and Hansel's springs, on the old California wagon road.

A good wagon road can be constructed, cutting through about six miles of heavy sage, north of the sink of Deep creek; thence to Blue and Mountain spring, to the Bear river. A most excellent wagon road already exists. I attach herewith a table of distances from the Owyhee river to the Bear river ferry; and I presume the distance from the Owyhee river to Harney lake is not above sixty miles; and thence to Fort Dalles, only one hundred and eighty miles. The entire distance by land from Fort Dalles to Great Salt Lake valley is six hundred and thirty miles.

26th July.....	16 miles.
27th ".....	26 "
28th ".....	19 "
29th ".....	22 "
30th ".....	18 "
31st ".....	24 "
1st August.....	23 "
2d ".....	23 "
3d ".....	11 "
4th ".....	24 "
5th ".....	25 "
6th ".....	19 "
7th ".....	30 "
8th ".....	25 "
9th ".....	...
10th ".....	24 "
11th ".....	25 "
12th ".....	29 "
13th ".....	7 "

Total..... 390 miles.

Respectfully, your obedient servant,

L. SCHOLL.

Captain ALFRED PLEASANTON,

2d Dragoons, A. Asst. Adj't. General,

Headquarters Department of Oregon, Fort Vancouver, W. T.

74 d.

OFFICE OF MILITARY ROADS, DEPARTMENT OF OREGON,
Fort Vancouver, W. T., January, 1860.

CAPTAIN: I have the honor to submit the following preliminary topographical report on the result of the explorations conducted by me as topographical engineer on the wagon road expedition to the valley of the Great Salt lake, under the command of Captain H. D. Wallen, 4th infantry, in the year 1859.

This report is divided as follows:

1st. The routes explored and discussion of the merits of different routes.

2d. A, table of distances and altitudes; B, table of latitudes, longitudes, and variations of the compass.

The method pursued in determining the data upon which are based the maps and reports of the survey are wholly of practical character.

I have carefully avoided all narratives of the daily incidents of the expedition; and I have found it necessary to defer to some subsequent report the tables of astronomical and meteorological observations, as well as the result of our collections and observations in mineralogy, geology, botany, and the itinerary of the route.

The table of distances and altitudes which is appended to this report were determined by Mr. Streeter and myself with as much accuracy as our time permitted.

The distances were measured by an odometer, which was carefully compared with the measurements by the chain from time to time.

Also a complete compass line, from Fort Dalles to the ferry on Bear river, was run by Mr. Streeter, who devoted himself zealously and assiduously to the care of the compass and odometer, and taking numerous bearings each day on all the mountain peaks and prominent landmarks along the route.

The altitudes were determined by barometrical observations made by myself, and are only offered of the best indications that we have.

We had two mountain and one aneroid barometers when we left Fort Dalles, but the aneroid barometer proved to be so inferior an instrument that the observations taken with it were not used.

The table of latitudes and longitudes, and variations of the compass, were determined by myself with as great accuracy as my instruments and means at hand allowed.

The sextant was one by Gamby, and worked in admirable adjustment during the whole trip. The latitudes were deduced principally from observations made on Polaris; at other times on north and south stars near the meridian, or by meridian altitudes of the sun.

The longitudes are chronometric, the chronometers being three box chronometers, purchased in San Francisco from Messrs. Barret & Sherwood; the one used directly for observations was by Charles Frodshaw, No. 1974, and it was carefully compared every day with the other two.

The chronometers were carried by hand from day to day with great care.

The variations of the compass were determined from observations made with a schmalealder on the sun, either at noon, sunrise, or sunset.

The map is on a scale of 1 to 1-200,000, showing the main route passed over by large red and blue lines, as well as the routes requiring future examination by dotted lines. The map has a meagre and skeleton appearance to the general eye, as we were careful not to include anything that was not wholly founded on positive data and actual operation in the field.

It is to the skill of Mr. de Girardin, supported by the pleasure he felt in the execution of his duty, that I am indebted for the continuous topographical sketches, representing with great accuracy the features of the country through which we passed.

To the officers and men, both civil and enlisted, who always throughout the expedition lent me their cordial assistance, I would here return my sincere thanks.

Copies of my orders and instructions are transmitted herewith.

Very respectfully, your obedient servant,

JOSEPH DIXON,

Brevet 2d Lieutenant Top. Engineers.

Captain A. PLEASANTON,

2d Dragoons, A. A. General,

Department of Oregon.

[Extract.]

HEADQUARTERS DEPARTMENT OF OREGON,

Fort Vancouver, W. T., April 27, 1859.

SPECIAL ORDERS No. 40.

I. To increase the facilities of communication between the Columbia river and the valley of the Great Salt lake, in connexion with the overland route to the frontiers of the western States, the following command will be organized at Fort Dalles, to move from that point by the first of June next, for the purpose of opening a good wagon road to Snake river, and from thence to a point called City Rocks, on the junction of the road from Forts Laramie and Bridger with the road from Fort Hall, to Salt Lake City.

* * * * *

II. Brevet Second Lieutenant Joseph Dixon, corps of topographical engineers, will report for duty with the expedition.

By order of General Harney.

A. PLEASANTON,

Captain 2d Dragoons, A. A. General.

[Extract.]

HEADQUARTERS DEPARTMENT OF OREGON,
Fort Vancouver, W. T., May 7, 1859.

SPECIAL ORDERS No. 46.

* * * * *
IV. Brevet Second Lieutenant J. Dixon, corps of topographical engineers, will proceed to San Francisco to obtain the necessary instruments of his department for service with Captain Wallen's command.

By order of General Harney.

A. PLEASANTON,
Captain 2d Dragoons, A. A. A. General.

MAY 16, 1859.

SIR: Having been assigned to duty with the command organized under Special Orders No. 40 of 1859, headquarters department of Oregon, for the purpose of opening a wagon road from Fort Dalles, on the Columbia river, to Salt Lake City, you are provided with the requisite astronomical and surveying instruments to enable you to execute the duties specified in the instructions of the department commander. Herewith is enclosed a check on the assistant treasurer of the United States at San Francisco, California, for the sum of two thousand five hundred dollars (\$2,500) out of the appropriation made for surveys for military defences, geographical explorations, and reconnoissances for military purposes and surveys with armies in the field, payable to you or your checks, to meet the authorized expenses of the outfit, and of the duties to which you have been assigned by the department commander, for which funds you will be accountable to the United States Treasurer at Washington, D. C.

You will please render me, when practicable, monthly reports of your progress, and transmit through me the usual monthly statements and quarterly returns and accounts to the Bureau of Topographical Engineers, required by the army regulations.

I am, sir, very respectfully, your obedient servant,
GEORGE THOM,
Captain Topographical Engineers.
Brevet Second Lieutenant J. DIXON,
Corps of Topographical Engineers.

General description of the country along the road.

In glancing at the topographical features of the country passed over in our outward journey from Fort Dalles, Oregon, to the valley of the Great Salt lake, the first great peculiarity that strikes the attention is the natural division of the route into five sections, which present characteristics distinct from each other in every respect.

FIRST SECTION.

Between Fort Dalles and the point where we crossed the Des Chutes river, near the mouth of the Warm Spring river. Distance seventy miles. General direction, south. The line surveyed in this section follows for sixty miles the usual travelled route to the Indian reservation near Warm Spring river.

Commencing at the steamboat landing at the City of the Dalles, Oregon, the road ascends the bluff of the Columbia river, in southeast direction, by a dry ravine; at this point the bluff is divided into three benches, but the summit can be reached by gradual ascent, and without much trouble. From the summit of the bluff the general direction of the road is nearly due south, crossing a small stream with narrow but fertile bottoms, called Three Mile creek, about three miles above its junction with the Columbia river, and from thence over a ridge, the height of which is about twelve hundred feet above the level of the sea, to a rapid running stream, called Five Mile creek. The valley of this stream, though gravelly, appeared fertile. From this creek the road ascends a long and steep hill, leaving the old trail to the right, and crossing the beautiful but narrow valley of Eight Mile creek, about one mile below the crossing of the old trail. From this creek, by a lateral defile, the road ascends a long and high ridge, from the summit of which fine views are had of the dark fir-covered Cascade range, and good bearings of the prominent mountain peaks, Hood, Adams, and Jefferson. From the summit of this ridge the road descends to a wide and smooth valley, containing several fine ranches on the banks of a clear stream, called Fifteen Mile creek. This country affords excellent grazing lands; the grass is highly nutritious, there is plenty of timber for all practical purposes, and the soil along the streams is fertile and productive. The road this far had passed over a hilly country.

From this valley we entered by a dry ravine into a beautiful grove of pine trees, and from this point we passed over a gently undulating country, covered with bunch grass, interspersed with patches of Fremontia; also a large portion of the country was covered with low and rounded mounds, with an altitude from four to five feet, and a diameter from twenty to twenty-five feet. They appeared in great numbers on the hillside as well as on the prairie. There has been much speculation in reference to their origin, but it still remains a mystery. These mounds give place to fields of lava on the summit of the mountains north of Tysch creek, which renders the road very rough in some places.

The valley of the Tysch is about fifteen hundred feet below the summit of the mountains, and the descent to it so very rough and steep that it is even difficult to conceive how heavily loaded wagons can pass over it. The banks of the Tysch are fringed with willow, alder, and cottonwood; the valley is from one to two miles wide, covered with a luxuriant growth of good grass, as are also the hills on either side. The Tysch rises in the Cascade range, and flows with a rapid current over a rocky bed into the Des Chutes river.

The southern branch of this stream, which is called White river, is

T OF OREGON,
T, May 7, 1859.

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EASONTON,
A. A. A. General.

MAY 16, 1859.

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about forty yards wide, and about two feet deep; it flows with rapid current over a pebbly bed, and enters the main stream about eight miles above its junction with the Des Chutes. The southern bluff of the valley is nearly as steep and difficult to pass over as the northern one.

From the summit of the southern bluff to the northern base of the Mutton mountains, a distance of about twelve or fifteen miles, there is a beautiful plain called Tysh prairie, elevated about two thousand two hundred feet above the level of the sea. This plain is covered with bunch grass, and here and there a few cedar trees. Oak Grove creek skirts the southern edge of this prairie, with its bottoms covered with beautiful groves of oak trees. By following up this stream about four miles, the mountains can be crossed by a much better pass than that where the old Indian trail crosses them. A magnificent panorama bursts forth upon the view from the summit of the Mutton mountains; the surrounding ——— lay spread before us for more than a hundred miles; several of the great snow peaks rise majestically above the rolling sea of the dark fir-covered Cascade range. From the pass in the Mutton mountains to the cañon of the Warm Spring river the road passes over a high plain covered with good bunch grass, interspersed with frequent beds of volcanic rocks and a few scattered cedar trees, as well as several springs of cold water.

The descent into the cañon of Warm Spring river is so very steep and rocky that it is nearly impassable for wagons.

The Warm Spring river rises in the Cascade range, and flows through a narrow and deep cañon, with sides in many places vertical or even overhanging, and from three to four hundred feet high. These vertical cliffs extend down in some places even to the water's edge, rendering it impossible to follow its banks to the junction of the Des Chutes river. But, to the left of the cañon, the country is of a more gently undulating character, and heavily-loaded wagons can pass over it with very little trouble to the point where we crossed the Des Chutes river, near the mouth of the Warm Spring river. This section of the route is abundantly watered with numerous streams which pour down from the neighboring mountains.

These streams flow through narrow chasm-like valleys from eight to twelve hundred feet below the plains. At the verge of these plains there generally commences vertical precipices of basaltic rocks, which leave only here and there a place where they can be entered on horseback. The road across the country, which would otherwise be very good, is rendered nearly impracticable for wagons on this account. On the eastern side of the Des Chutes cañon but little was known until we passed over it this summer; much of it is high plateau, the greater portion of which is level. As the greater number of the tributaries of this river flow from the Cascade range, the numerous lateral cañons which furrow the western side, and render it nearly impracticable for a wagon road, do not exist to such an extent on the eastern side.

The Des Chutes river, where we crossed it, flows through a deep cañon with a rapid current, and it is said to be broken by many rapids, which have given it the name of Des Chutes. It is about two hundred and fifty feet wide, and from six to eight feet deep; its banks are fringed

with willows and cottonwood; its bottoms are very narrow, sterile, and bare.

SECOND SECTION.

Between the Des Chutes river and the western base of the Blue mountains. Distance, 250 miles. General direction, southeast.

The ascent from the eastern bank of the Des Chutes to the table lands east of the above-named stream was very steep, and in some places quite rocky, rendering it nearly impracticable for heavily loaded wagons to reach the summit of the bluff, which is about eight hundred feet above the river. From the edge or the top of the cañon of Des Chutes to Oswego creek the road passed over high table lands, covered with bunch grass and scattered cedar trees. In order to avoid a deep cañon which intervenes between these two points, it makes a long detour to the north. The descent from the plain into the valley of Oswego creek is in some places very steep, but a good road can be made with little labor.

From this valley we crossed a low ridge of sandstone into a beautiful and level valley from one to two miles wide, and covered with a luxuriant growth of fine grass.

By following up this valley about five miles we came to a remarkable pass, leading through a broken range of low mountains into a large sand plain covered with artemisias, the first we had seen since we started.

Near the centre of this plain we came to a cold spring of pure water gushing out of a ledge of sandstone. From this spring to the western spur of the Blue mountains, a distance of about twenty-four miles, the country is level, covered with fine bunch grass and scattered groves of cedar trees; the soil is of a light gravelly character; there are occasional outcrops of trap and other volcanic products.

The banks of the streams are generally fringed with willow, cottonwood, and alder, and the bottoms fertile. The western spur of the Blue mountains, which has been referred to before, is a branch of the main chain, and dividing the headwaters of the John Day and Crooked rivers; this spur extends down the north side of Crooked river nearly to the Des Chutes.

We crossed this spur or chain at a remarkable depression, being about 4,000 feet above the level of the sea. The mountains are covered with a dense growth of timber, (fir and pine,) extending to the summit of the highest pinnacles.

The ascents are gradual and the road is very good. From the summit down into the valley of Cottonwood creek the road is good, with a gradual descent.

Cottonwood creek is a mountain stream, flowing in a southern direction over a rocky bed into Crooked river. It has but little timber on its banks, with the exception of cottonwood; its bottoms are narrow and sterile.

From the above-named stream to Achera creek, we crossed a low sandy ridge, covered with cedar trees and artemisia. We forded Achera

creek about one mile above its junction with Crooked river. The valley of Crooked river near the mouth of Achera creek is about five miles wide, low and sandy, covered with artemisia and fremontia, but very little grass.

Crooked river at this point makes a large bend toward the south, and to avoid this current, we crossed the mountains by a good road. The mountain sides are rich and productive, being covered with a luxuriant growth of excellent grass, wild pea vine, and red clover. The rocks displayed on the mountains as we approached the summit, which is about 4,330 feet above the sea, was a compact trap, decomposed on the exposed surface. We reached the valley of Crooked river again by a ravine which was so narrow in some places that there was scarcely room for wagons to pass.

The general direction of the valley of Crooked river is nearly north-west, but on account of the tortuous course of the river through its sterile valley, it well deserved its name. The bottom lands of the valley will average from half a mile to a mile in width, and the surface consists of a very light and porous soil, but the road is generally good. Groves of alder and cottonwood, with dense thickets of willows, exist on its banks. The hills which enclose this valley are generally low and sandy, covered with a growth of stunted cedars and scattered pines. The plains back of the hills are mainly formed of immense beds of trap, and clothed with a carpet of luxuriant bunch grass, (*festuca*), which is almost universal on the plains and mountains of this region, and is always nutritious, even in a dry state.

Most of the tributaries of this river form narrow cañons through the igneous rocks, and possess little soil capable of cultivation.

We left the valley of the Crooked river a few miles below its forks, by a lateral cañon, and reached by almost imperceptible ascent a high prairie, somewhat cut up by gentle valleys. From this prairie to Buck creek, which is the headwater of the southern branch of Crooked river, a distance of about thirty-five miles, the road passes over an undulating country, the soil of which is of a light and sandy character, with outcrops of trap and lava. The road crossed several small streams, which are evidently tributaries of the southern branch of Crooked river. Although the surface of this region is undulating, the general slopes are so uniform that from high eminences the appearance is that of a nearly level country.

There extends from this undulating region a sloping plain to the wide valley in which the southern branch of Crooked river takes its rise, and from this plain an extensive panoramic view is obtained of the lofty and dark range of the Blue mountains, with lesser ranges intermediate; also to the south, and in front of us, lay spread out a vast sage plain, extending as far as the eye could reach, bounded by a broken range of low mountains.

This plain is destitute of vegetation, with the exception of artemisia; even the banks of the small streams that meander through it are lined with a white effervescence like snow, instead of their usual foliage. The elevation of this plain above the sea is four thousand three hundred and thirty-five feet, and it is dotted with several small lakes with low and alkaline banks.

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The soil of the surrounding hills has a dry and calcined appearance. From Buck creek to Lake valley, a distance of about forty-five miles, the country is an uninterrupted dense field of artemisia, having in some places such a luxuriant growth that it was very difficult and laborious to force our way through it. This region is a high plateau, constituting the dividing ridge between the waters of Crooked river and the small streams which flow in an opposite direction, losing themselves either in the sand, or in the chain of lakes situated in the above-named valley.

The ascent to the summit of the dividing ridge is so remarkably uniform, and the depression so gentle in its declivity, that it rendered it difficult to define the exact position of the dividing crest, which is about 4,765 feet above the sea.

The chief supply of water along the travelled route on this plateau depends on small lakes, which have a disagreeable alkaline taste. The soil is thin and stony, and in many places large outcrops of trap and lava are visible.

The road descends from the summit of this divide by long and gentle reaches in a large saline valley or basin, being in many places for miles as level as a house floor. Here the vegetation consisted chiefly of fremontia, with smaller saline shrubs. Here the surface was whitened with fields of alkali, resembling very much fields of snow. In many places there were isolated peaks, terminating in almost perfect craters of an oval or circular form. These peaks are composed of a brown colored scoriaceous lava, evidently the production of modern eruptions.

This valley or basin is about 80 miles in length from east to west, and about 50 in width. There are situated in this valley several lakes. Some of them are very shallow, and the water is so strongly impregnated with alkali as to be totally unfit for use. Near the centre of this valley we came to a much larger lake than any we had yet seen. It was spread out over a length of about 18 miles, and in breadth about ten miles. It had every appearance of being very deep, and the water was so salty that our animals would not drink it. There was a considerable stream flowing into it from the north, but from all appearances there was no outlet. Its shores were low and sandy.

This lake, when first presented to our view, was a handsome sheet of water, and we gave it the name of Lake Harney, in honor of the present commander of the department of Oregon. Some observations made on the banks of a small lake two miles east of Lake Harney the altitude was 4,196 feet above the level of the sea, the latitude $43^{\circ} 12' 25''$ north, and the longitude $118^{\circ} 41' 40''$ west of Greenwich.

We travelled from Lake Harney to the western base of the Blue mountains, in a northern direction, over an extremely level country, and in many places resembling very much the flat sandy bed of shallow lakes.

From this plain, looking towards the north and east, we had a fine view of the Blue mountains, sweeping far away to the south, and appearing to terminate in isolated peaks about sixty miles below; and still at a greater distance to the south stood out clear to the sky a lone mountain, with a pure mantle of snow, and, from the best ex-

amination that our time permitted, we were inclined to believe that it is entirely isolated from the main chain of the Blue mountains. The road from Lake Harney to Stillwater slough, a distance of about fourteen miles, is level and good, with the exception of drifting sand, which rendered it heavy in some places.

The country is partially covered with *artemisia* and *fremontia*. The above-named slough was very deep and narrow, having no perceptible current; its banks were fringed with dense groves of willows.

From this slough to the base of the mountains, a distance of about eighteen miles, the country is a beautiful level valley, covered with a luxuriant growth of bunch grass, wild pea vines, and red clover, interspersed with fields of camass on a rich soil, abundantly watered by numerous mountain streams, all of which converged toward the southern end of the valley, where they lose themselves in a large marsh. This savanna, or meadow, is bounded on the north and east by the Blue mountains, the cañons of which are well timbered with pine and cottonwood.

This wide savanna, or grassy meadow, or rather a succession of meadows, of rich soil, separated by lines of cottonwood trees, growing along the many streams that flow from the surrounding range of mountains, make a picture that would delight the eye of a farmer, if he could be content to live in such seclusion as it imposes. Game along this section is also abundant—antelope, deer, and several species of grouse, prairie chickens, ducks, geese, &c.

In conclusion, we would say, for emigrants who may take this route, or are desirous of recruiting their animals, or troops on scouting expeditions, this section presents many advantages, such as permanent water, plenty of good grass, the cañons and mountain slopes covered with timber, pine, fir, cedar, cottonwood, and willows, and last, and most important of all, a good road.

THIRD SECTION.

Between the western base of the Blue mountains and the Owyhee river, near its junction with Snake river. Distance, 143 miles. General direction: first, northeast; second, southeast.

This section may be subdivided into the mountain or hilly division and the lower or valley division.

By referring to the map it will be perceived that there is but one main mountain mass or chain of the Blue mountains, and that there is a continuous range, presenting but few depressions or openings, dividing the waters flowing into the Snake river from those flowing into the Columbia river and the chain of lakes in Lake valley.

It will be observed that there are two secondary ranges or spurs branching off from the main chain, one dividing the headwaters of the John Day and Des Chutes rivers, which is called the western spur, and the other dividing the waters of the Burnt and Malheur rivers, which is called the eastern spur.

In locating the Blue mountains and its spurs we were very careful in taking as many bearings as possible of all the mountain peaks and prominent landmarks, as well as determining the position of the

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ments would give and our time permitted. From the western spur
of the Blue mountains there are many secondary spurs extending
down towards the Malheur river, between which there are flowing
many small streams which enter into the Malheur river.

The ascent of the Blue mountains is about six miles long, and
very steep and rocky in some places, rendering it both laborious and
tedious to reach the summit, which is about 6,265 feet above the level
of the sea. The principal rocks displayed on the summit are a dark
slate-stone, and trap on either side.

The view from the mountain top, looking toward the east, was
rugged and wild in the extreme. The whole face of the country, as
far as the eye could reach, was broken up into mountains and narrow
valleys, or cañons, through which mountain torrents rushed, foaming
and roaring, over their rocky beds. But, looking toward the south-
west from the same spot, the scene is quite to the reverse; there one
beholds a plain as boundless as the ocean, alternating with lakes and
prairies covered with waving grass, and numerous streams winding
their serpentine courses through it, between banks fringed with willow
and cottonwood thickets.

We descended the Blue mountains by a very circuitous and precipi-
tous route; we often had to make sharp turns to avoid high cliffs and
deep gorges, which rendered the country rugged and wild beyond
description. The descent brought us to the rocky bed of a small moun-
tain brook flowing in a northeast direction into the Malheur river.
The bed of this brook was rocky, principally with the debris of quartz,
which had good indications of gold. We crossed the little brook
about five miles from the cañon of the Malheur river, but the cañon
was so narrow, and the rocks, by falling from the cliffs above, had so
completely blocked it up, that we were forced to cross the small spurs
of the main mountains to our right by a very rough and rocky road,
and reach the river further below, where the cañon had widened out
into a valley, nearly one mile wide, that was covered with some good
grass. We crossed the river at a good ford, and travelled down the
valley on its left bank, but we had not gone far when we discovered a
black gorge with high precipices of basaltic rocks, between the walls
of which the river flowed with a rapid current over a rocky bed, and
the banks were so rugged as to render it impossible to follow it any
farther. So, turning to the north, we descended diagonally the east-
ern spur of the Blue mountains, over a heavy rolling country, covered
with good grass, but very rocky.

The mountain tops were well timbered with pine and cedar. We
travelled on the southern side of the eastern spur of the Blue moun-
tains until we entered the narrow valley of the northern branch of the
Malheur river, by the worst road we had yet seen. This stream flows
with a rapid current over a rocky bed, clearing a way through for
itself, and leaving the mountains on either side towering thousands of
feet above its narrow bottoms.

Our road followed the direction of this stream for some distance,
sometimes finding room along the borders of the river, and then nearly
to the tops of the hills, by ascents and descents so precipitous as to

render it decidedly bad and dangerous for wagons. Finding it impossible to follow this stream to its junction with the Malheur river, we turned again to the north and travelled over the most rugged country that we had ever seen, to a small creek. The banks of which were fringed with birch, cottonwood, and willow; this being the first birch timber we had seen on our journey, we gave to this stream the name of Birch creek.

The bottoms of this stream are narrow, but are covered with a luxuriant growth of good grass, as well as the mountain sides that bound it. From this creek it was necessary to cross a range of hills nearly as high as the Blue mountains. The road went up diagonally, but the ascent was by far the most toilsome operation that we had ever undertaken.

The mountains were rugged and destitute of timber, with the exception of a few stunted cedar trees, but they were covered with a luxuriant growth of good bunch grass. The view from this mountain top showed a country broken still, but on a much smaller scale than that we had passed over. There appeared to be but very little order or regularity to the rolling sand hills in front of us, but the whole had the appearance of the surface of a large boiling caldron suddenly stricken motionless.

From the summit of this ridge we descended by a rocky ravine into the broken sandy country below, and then we wound our way around sand hills, over a sandy plain covered with artemisia, to the valley of the Malheur river once more.

It will be observed that the road in this division passes over a mountainous country, the streams flowing rather in ravines than valleys, and the road is decidedly bad and dangerous, but entirely impracticable for heavily loaded wagons, without much labor; but still it presents some advantages, such as plenty of good water; the mountain slopes are covered with a luxuriant growth of good bunch grass, and the gulches are filled with pine, cottonwood, and willow. Game is also plenty—antelope, deer, grouse, prairie chickens, etc. There are also found in great abundance in the numerous streams several species of the mountain and salmon trout.

SECOND DIVISION.

This portion of the section may be called the lower or valley division, as it is much lower than the first division, and being principally in the valleys of the Malheur and Snake rivers.

The Malheur river, about eight miles above the point where we came to it, debouches from a black gorge of high precipices formed of basaltic rocks, and following up this stream it is found to be shut in among lofty mountains, confining its narrow valley (or more properly cañon) in a very rugged country. The river flows through this gorge or cañon with a rapid current, over a rocky bed, but below the gorge it has a slow and sluggish current.

The river was in July about sixty feet wide, and from two to three feet in depth; its banks were fringed with willow and cottonwood. Below the gorge the valley opens out into a broad plain, increasing

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in width down to Snake river, with the exception of a few places where the hills extend down, and the basaltic rocks infringe upon the stream in salient points. The bottoms were covered with sage bushes, with occasional intervening patches of grass, which, however, become less frequent as the river descends. The country on the right side of the river presents itself as a high plateau, intersected by deep cañons extending back several miles. This plateau, like the rest of the country east of the mountains, is covered everywhere with the same interminable field of sage, and occasionally large outcrops of lava and other volcanic productions.

The country on the left side of the river below the mountains consists of low masses of sandy hills. We travelled down the valley mostly on the left side of the river, the road rising and falling on the sides of the hills until we reached the point where the old emigrant road to Walla-Walla crosses it. We crossed the river at the old ford, which is by no means a good one, and followed up a dry sandy hollow until we reached the summit of the dividing ridge between the Malheur river and the Owyhee; the rocks displayed on the summit were of a coarse granular sandstone. From the top of the ridge we crossed a sandy plain covered with sage bushes by a succession of gentle descents to the Owyhee river.

It will be perceived that the road in this division is level and good, with the exception of some places where it is rendered quite heavy by the sand. There is but very little grass, and no game except sage-cocks, which are in great abundance.

FOURTH SECTION.

From the Owyhee river to the summit of the dividing ridge between the waters of the Snake river and the valley of the Great Salt lake. Distance, 300 miles. General direction, southeast.

By referring to the map it will be perceived that this section may be subdivided into two divisions, the first including that portion between the Owyhee river and the headwaters of Swamp creek, the second including the remainder of the section. Although these two divisions are entirely included in the valley of Snake river, they differ from each other in several characteristics.

FIRST DIVISION.

The general appearance of the valley of Snake river between the northern bank of the river and the distant Salmon River mountains is one vast high plain, broken and rent into chasms and deep ravines, covered with black volcanic rocks and artemisia.

The country on the southern side of the river along the line of the road is a barren valley, varying in width from five to sixty miles. From the Owyhee to the lower end of the first cañon of the Snake river, a distance of about 60 miles, the valley is narrow and broken up into bare sand hills, but its general character is that of an inclined plane sloping down towards the river, and extending back to the river chain of mountains. The country between the lower end of the

above-named cañon and Burnt Mountain creek is a high sage plain, broken up into deep cañons. This plain is formed by successive layers of basaltic rocks, interstratified with clay, stone, and conglomerates. There are also many isolated masses of coarse conglomerates, broken up into turret-shaped heaps, colored by some ferruginous substances from a brilliant red to a deep black.

This plain or plateau is perfectly bare with the exception of artemisia; not a tree can be seen as far as the eye can reach.

Burnt Mountain creek takes its name from two lone buttes situated near the point where it empties into Snake river, which are covered with piles of scoriaceous basalt of a reddish tinge, interspersed with black volcanic rocks, which give them the appearance of old furnaces surrounded by ashes and blackened by smoke. From Burnt Mountain creek to Bruneau river the country has truly a melancholy and strange appearance; it is whitened with fields of alkali; the river banks are sterile and destitute of both timber and grass, and the plain, sloping back to the distant mountains, is sterile and darkened with gloomy and barren artemisia.

The country between Bruneau river and the headwaters of Swamp creek, and stretching over an immense region to the south, is one vast sage desert, heaved up into wide table lands, from which there bursts forth low hills and isolated buttes, covered with volcanic ashes and lava of different colors. This region is also broken up into many lateral ravines, some of which are dry and destitute of either timber or grass, whilst through the others flow small streams, with narrow bottoms, and scanty grass.

This country is destitute of timber, with the exception of the small willows along the banks of the streams and the stunted cedars on the rocky shores of Snake river and the distant mountain slopes.

At some distance from the river there appears to be a series of sand fields and drifts, extending nearly across this region.

The principal rocks are basaltic conglomerates, which are very abundant near the river, rendering the road very rough in many places. The bottoms of Snake river occur at wide intervals from each other, and are narrow and sterile. Some of them are white fields of alkali, whilst others are covered with a thin clothing of saline shrub and a rough grass of an alkaline quality. The road follows up the left bank of Snake river, leaving it in no places more than eight miles, and in some places it winds its way between the bluffs and the river, where there is scarcely room for wagons to pass. It is generally level, but is quite rocky in several places, whilst a large portion of it passes through a sandy country, which renders it very heavy and fatiguing.

In taking a general view of the valley of Snake river between the Malheur river and the headwaters of Swamp creek, it presents a vast and barren plain, where there does not occur for a distance of 260 miles a fertile spot of ground large enough to produce grain and pasture in sufficiently large quantities to allow even a temporary repose to a small train. This route, which would otherwise be a very good one for emigrants and troops on scouting expeditions, is rendered nearly useless on account of the great scarcity of grass.

By referring to the map, it will be perceived that there is a trail

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along the distant mountains on the right, and from the general character of the country it is reasonable to believe that this trail, passing near the heads of the streams flowing into Snake river, would be a much better road than the one we have followed. This trail, if it can be followed with wagons, is much shorter than the route we have passed over. It is on a direct line with the road we travelled to Lake Harney and the headwaters of Swamp creek; or, if it is practicable to cross the Goose Creek mountains, still better, intersecting the emigrant road to California near the City of Rocks, and there is no reason to apprehend any insurmountable obstacle in view as we passed around it; but as the country is broken, only actual explorations can determine its practicability. This route, however, cannot be more difficult than the one we followed, and it certainly would not be one-half the distance.

Here it may be remarked, as every traveller on this western slope of our continent has observed, that the usual order of the distribution of good and bad soil is often reversed, the river and creek bottoms being often sterile and darkened with the gloomy and barren artemisia, while the mountains are fertile and covered with rich grass, pleasant to the eye and good for animals.

It will be observed by following the above-mentioned trail to the vicinity of Lake Harney and then turning to the left and travelling in a westerly direction, crossing the Cascade range by a trail near Diamond Peak, which is at present travelled and is said to be practicable, the emigrants can reach the valley of the Willamette by a much nearer route than either of the others that are at present travelled.

For working parties on construction, or to emigrants who are desirous of recruiting their animals, or to troops on scouting expeditions, I am confident that this route would present many advantages far superior to either of the others, such as plenty of wood and water, luxuriant growth of fine bunch grass, which is always nutritious, even in a dry state.

SNAKE RIVER.

The altitude of Snake river near the point where the Owyhee river empties into it is about 2,120 feet above the level of the sea. From this point to the foot of Salmon falls, a distance of about 140 miles, the river flows with gentle current, forming several large islands, which are covered with tall rough grass and thickets of willow bushes. The river was, in July, about four feet below high water mark, but still it appeared to be very deep, and from 400 to 500 yards wide. Its altitude near the foot of Salmon falls is about 2,896 feet above the level of the sea. The Salmon falls are a succession of rapids, and are about 15 miles in length. The altitude of the river, near their head, is about 3,226 feet above the sea. The great cañon of Snake river commences about 10 miles above the point where the Salmon Fall river empties into Snake river, and extends up the river about 60 miles. This cañon is about 800 feet deep. Near the mouth of Rock creek its sides are nearly perpendicular, and are formed of basaltic rocks underlaid with claystone.

The Great Shoshonee falls of Snake river occur about eight miles above the mouth of Rock creek. The river is about six hundred feet wide above the falls, and is immediately contracted at the falls in the form of a lock by jutting piles of scoriaceous basaltic to a space of about three hundred feet, between which the river rushes, dividing itself into two branches, one falling over a precipice one hundred and eighty feet in height, and the other one hundred and sixty feet, over which the foaming river presents a wild and grand appearance beyond description.

The elevation of the river at the upper end of the cañon is about four thousand two hundred and ninety-six feet above the level of the sea.

The river from the upper end of the cañon to the mouth of Swamp creek (the point where we left it) flows with gentle current through narrow bottoms with scanty vegetation.

SECOND DIVISION.

From the headwaters of Swamp creek to the dividing ridge between the waters of Snake river and the valley of the Great Salt lake.

The country between the headwaters of Swamp creek and the point where the Lander's Cut-off crosses Raft creek is slightly undulating, with several outcrops of rocks. This portion of the route passing over the base of the mountains is relieved from the interminable fields of artemisia, (sage,) which flourish in such great abundance along the banks of Snake river.

I would here remark, that I have been informed that in the valley of the Great Salt lake wheat is grown on the ground that once produced this shrub. If this be true it certainly relieves the soil from much of the sterility that has been imputed to it. But be this as it may, there is one thing certain, that the mountain slopes of this country are always covered with a luxuriant growth of excellent grass.

The country between Raft creek and the crest of the dividing ridge presents a wide plain, raising gradually up to the summit of this ridge, or, rather, a succession of plains, separated by lines and groves of willow thickets, growing along the numerous streams flowing from the surrounding mountains into Raft creek.

The mountain sides and ravines are covered with groves of cedar trees, with a few scattered pines. The banks of the many streams are fringed with cottonwood and willow, and the bottoms are covered with a luxuriant growth of fine grass.

The road is good; it follows along the base of the mountains, crossing Raft creek at the point where Lander's Cut-off crosses it, and following up the right bank of this stream, and intersecting the emigrant road to California near the summit of the dividing ridge.

FIFTH SECTION.

From the summit of the dividing ridge, between the waters of Snake river and the valley of the Great Salt lake, to Bear river. Distance, sixty-six miles. General direction, southeast.

The country from Cedar springs, which are near the dividing

ridge, to a small creek with narrow bottoms called Deep creek, is a level sage plain, with an alkaline soil and scanty grass.

From the above named stream to the valley of Bear river the country consists of a series of rolling prairie hills, with occasional small groves of cedar trees. It is also covered with a rich and luxuriant growth of grass at every point.

The valley of Bear river is from ten to twelve miles wide at the ferry. It is very level, and from the right bank of the river to the foot hills it is covered with sage bushes and the soil is of an alkaline character. The soil from the left bank of the river to the base of the mountains appears to be of a fertile character and the vegetation such as is usually found in good ground. The river flows with a gentle current at the ferry, and is 60 yards wide and from eight to ten feet deep.

From Cedar springs we followed the old emigrant road to California across Deep creek and by Hensell's, Blue, and Emigrant springs to the ferry of Bear river, crossing the Riviere aux Roseaux at the bridge. This is a good and easily-travelled wagon road in all seasons of the year.

HOMEWARD JOURNEY.

On our homeward journey we returned by nearly the same road that we travelled to the city of the Great Salt lake as far as the ford of the Malheur river.

From the ford of the Malheur river we followed the old emigrant road *via* Grand Ronde to McKay's agency on the Umatilla river, and from thence by the usual travelled road from Fort Walla-Walla to Fort Dalles.

The country along this route has been so thoroughly examined and so fully described by various surveying parties who enjoyed superior advantages to myself, from the number of their instruments and assistants, that any further description of it on my part would be altogether unnecessary.

In conclusion I would say that this country, like all the rest of the mountainous regions on this part of the Pacific slope, possesses a good soil, covered with nutritious grass, and a dense forest, embracing many varieties of trees. The country is broken, many of the streams flowing rather in ravines than valleys, and the road is decidedly bad and dangerous for wagons, requiring considerable labor and expense to make it a good and easily-travelled wagon road.

GENERAL DISCUSSION OF THE MERITS OF THE DIFFERENT ROUTES.

From the South Pass to the State of Oregon and the Territory of Washington there are at present two travelled routes, one following down the valley of the Snake river, crossing the Blue mountains *via* Grand Ronde into the valley of the Columbia, the other following down the valley of the Humboldt and entering into the State of Oregon by what is known as the great Oregon canon.

To the first of these routes there has been and always will be im-

portant and insurmountable objections, as nearly three hundred miles of it passes through the sterile valley of Snake river, which is nearly destitute of one of the most indispensable articles to emigrants or troops, that is, grass. Besides these objections, it makes a long detour to the north, crossing the Blue mountains by a rough and rugged pass into the valley of the Columbia river.

The second route passes entirely too far to the south to ever be a good thoroughfare to the State of Oregon and the Territory of Washington.

The proposed route indicated on the map obviates all of the above-mentioned difficulties in passing near the headwaters of the numerous streams flowing into Snake river from the south. It offers to the trains going to and from the valley of the Great Salt lake, as well as those coming through the South Pass, a continuous supply of the indispensable articles of wood, water, and grass. The route proposed, as will be perceived by referring to the map, leaves Fort Dalles and follows the usual travelled road to Fort Walla-Walla as far as the Des Chutes river, crossing this stream at the bridge near its junction with the Columbia river, and from thence passing up the eastern side of the Des Chutes river and intersecting the road that we passed over this summer near the point where it enters the valley of Trout or Oswego creek.

This part of the route was examined by Lieutenant Bonnycastle, of the fourth infantry, who reports it to be an easily-travelled wagon road, and having plenty of wood, water, and grass for large trains. From the valley of Trout creek to Lake Harney, as has been mentioned before in the report, there is a good wagon road, with abundance of wood, water, and grass.

The country from Lake Harney to the forks of the Owyhee and Kearney rivers, a distance of about sixty-five miles at the furthest, has not been examined, but from the general appearance of it on both sides, much of which was in view as we passed around it this summer, it is a level plain, possessing all the requisites necessary for the traveller in this remote region.

The country from the forks of the Owyhee and Kearney rivers was examined by Mr. Scholl, the chief guide of the expedition, and he reports that the wagons could have passed over it without any difficulty, with the exception of three cañons or ravines, which require working; and he also reports that the soil is fertile in many places, and that the mountain slopes and valleys are covered with a luxuriant growth of grass, and there is plenty of wood and water.

It will also be readily observed, by referring to the map, that the proposed route from Fort Dalles to the headwaters of Swamp creek, or still better, if practicable, intersecting the Emigrant road to California near the City of Rocks, is a central one and much nearer than either of the others, and that all of it has been examined with the exception of the small portion from Lake Harney to the Owyhee river.

APPENDIX "A."

Distances and altitudes from Fort Dalles, Oregon, to Great Salt Lake City.

Date.	Station.	Intermediate distances.	Total distance from Fort Dalles.	Altitude.	Remarks.
1859.					
June 1	Three-mile creek		3.00	782	Hourly observations for three days with two barometers.
4	Five-mile creek	2.5	5.5	848	
5	Eight-mile creek	2.25	7.75		
	Fifteen-mile creek	4.75	12.50	1,411	
6	Tyshe valley	17.50	30.00	1,264	
7	White river	00.50	30.50	1,246	
8	Oak Grove creek	13.00	43.50	2,281	Showers of rain.
10	Quartz creek	7.75	51.25	2,829	
11	Warm Springs river	9.00	60.25	1,504	Near the ford.
12	Crossing of the Des Chutes river	9.25	69.50	1,286	Left bank.
15	do	50	70.00	1,278	Right bank.
17	Trout or Oswego creek	17.50	87.50	1,827	Spring, half-way.
19	Sundstone springs	7.50	95.00	1,907	
20	Cedar springs	11.00	106.00	2,722	
21	Willow creek	10.75	116.75	3,517	
22	Cottonwood creek	11.25	128.00	2,910	
23	Achera creek	9.00	137.00	2,800	
24	Antelope springs	10.50	147.50	4,372	Dividing ridge.
25	Crooked river, 1st	12.75	160.25	3,649	
26	Crooked river, 2d	15.00	175.25	3,791	
27	Crooked River cañon	5.00	180.25	3,859	
July 1	Pine grove	2.00	182.25	3,936	
	Three-pine creek	5.75	188.00		No barometer observations.
2	Spring valley	17.00	205.00	4,385	
3	Buck creek	13.00	218.00	4,437	
4	Dividing ridge	11.00	229.00	4,755	Summit.
	Round lake	9.75	238.75	4,671	
5	11 miles from Round lake	11.00	249.75	4,477	
	Lake Whapenpa	9.75	259.50	4,287	
7	Stampede lake	23.75	283.25	4,196	
8	Stillwater slough	14.75	298.00	4,212	
10	Camp Surprise	18.00	316.00	4,314	
11	Small creek, north side of Big meadows	5.50	321.50	4,234	
12	Summit of Blue mountains	10.00	331.50	5,637	
	Carrot creek	5.00	336.50	5,083	
13	Malheur river	14.50	351.00	3,939	
14	Rock Creek cañon	16.00	367.00	562	
15	South bend of Malheur river	8.00	375.00		
	Birch creek	5.25	380.25	4,799	
16	Ice springs	15.50	395.75	5,034	
17	Malheur river	26.00	421.75	2,458	
21	Crossing of Malheur river	25.50	447.25	2,107	
22	Owyhee river	17.50	464.75	2,121	
23	Big Rock creek	17.50	482.25	2,407	

APPENDIX A—Continued.

Date.	Station.	Intermediate distances.	Total distance from Fort Dalles.	Altitude.	Remarks.
1859.					
July 24	Hot springs.....	22.00	504.25	2,442	
25	Old Iron springs.....	11.00	515.25	2,468	
26	Burnt Mountain creek.....	24.00	539.25	2,660	
27	Bruneau river.....	20.00	559.25	2,829	
28	Camp Reynolds, (on Snake river)	15.00	574.25	2,847	
29	Rattlesnake meadows.....	18.00	592.25	2,879	
30	Top of cañon of Snake river...	16.50	608.75	3,102	
31	Salmon Falls river.....	20.25	629.00	2,513	
Aug. 2	Rock creek, 1st.....	23.00	652.00	3,753	
3	Rock creek, 2d.....	17.25	669.25	3,994	
4	Snake river.....	20.75	690.00	3,990	
5	Swamp creek.....	19.25	709.25	4,367	
6	Raft creek, 1st.....	13.25	722.50	4,297	
8	Raft creek, 2d.....	19.00	741.50	4,314	
9	Cedarsprings, (on Callifor'a road)	24.00	765.50	5,439	
10	Hensell's spring.....	32.00	797.50	5,393	
11	Bear River ferry.....	34.00	831.50	4,334	
12	Mud springs.....	27.00	858.50	4,470	
13	Philip's village.....	26.00	884.50	4,327	
14	Great Salt Lake City.....	17.00	902.50	4,351	

APPENDIX A—Continued.

Homeward journey.

Altitude.	Remarks.	Date.	Station.	Intermediate distances.	Total distance from Great Salt Lake City.	Altitude.	Remarks.
4,442		1859.					
4,468		Aug. 22	Farmington	17.50	.....	4,321	
4,660		23	Ogden City	15.50	33.00	4,341	
4,829		24	Pebbley spring	14.50	47.50	4,286	
2,847		25	Brigham City	12.00	59.50	4,312	Hurricane, with
2,879		26	Bear River ferry	8.00	67.50	4,434	showers of rain
3,102		27	Emigrant's spring	9.00	76.50	5,162	
2,513		28	Hensell's spring	26.00	102.50	5,400	
3,753		29	Cedar springs	32.00	134.50	5,439	
3,994		30	Raft creek	27.00	161.50	4,314	Thunder, snow
3,990		31	Dividing ridge between Raft				with rain.
4,367			creek and Swamp creek			5,162	
4,297			Swamp creek	15.00	176.50	4,382	
4,314		Sept. 3	Snake river	19.25	195.75	3,990	
5,439		4	Rock creek, 1st	20.75	216.50	3,994	
5,393		5	Rock creek, 2d	13.25	229.75	3,753	
4,334		6	Salmon Falls river	22.00	251.75	2,231	
4,470		7	Top of cañon	20.25	272.00	3,112	Steady rain during
4,327		8	Rattlesnake meadows	16.25	289.25	2,872	the day.
4,351		10	Camp Reynolds	18.00	307.25	2,847	
		11	Top of hill between Camp Reynolds and Bruneau river			3,102	
		11	Bruneau river	12.50	319.75	2,829	
		12	Burnt Mountain creek	20.00	339.75	2,660	
		13	Top of hill between cañon				
			Creek and Iron springs	7.50	.....	2,910	
			Old Iron springs	16.50	363.75	2,468	
		14	Hot springs	11.00	374.75	2,443	
		15	Big Rock creek	23.00	397.75	2,407	
		16	Owyhee river	17.50	415.25	2,121	
		24	Crossing of Malheur river	17.50	432.75	2,107	
		25	Birch creek, (near Snake river)	20.75	453.50	1,979	
		26	Burnt river	11.50	465.00	2,407	
		27	Small creek near Burnt river	14.75	479.75	3,102	
		28	Small branch of Powder river	22.00	501.75	3,147	Snow and rain.
		29	Powder river	20.75	522.50	3,109	Continued rain all
		30	Grand Ronde	20.75	543.25	2,940	day.
		Oct. 3	Grand Ronde river	17.00	560.25	3,092	
		4	Summit of Blue mountains	11.00	.....	4,970	
			Lee's encampment	7.00	578.25	4,287	
		5	Small creek foot of mountains	9.00	.....		
			Umatilla river	3.00	592.25	1,504	
		6	Umatilla river, (McKay's)	8.50	600.75	.....	
		9	Umatilla, (1st crossing)	4.50	605.25	1,240	
		11	Umatilla, (2d crossing)	20.25	625.50	1,137	
		12	Butler creek	9.50	635.00	1,085	
		13	Well's springs	15.25	650.25	.....	
		14	Willow creek	16.00	666.25	.....	
		15	Rock creek	23.00	689.25	.....	
		16	Des Chutes river	32.00	721.75	.....	
		17	Dalles	15.75	737.50	.....	

APPENDIX "B."

Table of latitudes, longitudes, and variations of the compass determined on the line of travel of the wagon road expedition to the valley of the Great Salt lake, and prepared by Brevet Second Lieut. Joseph Dixon, topographical engineer of the expedition.

Date.	Place of observation.	Latitude.			Longitude.			Variation.
		°	'	"	°	'	"	°
1859.								
June 2	Three-mile creek, near Fort Dalles.	45	33	55	120	56	11	19 45
9	Oak Grove creek	45	06	22	121	04	48	19 20
10	Quartz springs	45	01	52				
12	Crossing of Des Chutes	44	47	12	120	50	23	19 15
18	Trout or Oswego creek	44	25	21	120	42	08	
19	Sandstone springs	44	42	14	120	49	22	
21	Willow creek	44	27	15	120	42	07	18 55
22	Cottonwood creek	44	22	27				
24	Antelope springs	44	15	13	120	28	07	
30	Crooked River cañon	44	03	24	119	50	30	18 40
July 3	Buck creek	43	42	35	119	32	30	18 40
6	Lake Whatumpi	43	16	12	119	05	15	18 10
7	Stampede lake	43	12	25	118	42	40	
8	Stillwater slough	43	25	27	118	7	45	18 10
10	Surprise creek	43	36	45	118	57	45	18 25
12	Carrot creek, in the Blue mountains.	43	43	07	118	15	45	18 25
13	Right bank of Malheur river	43	46	32				
14	Rock Creek cañon	43	55	53	117	57	00	18 30
16	Ice springs	43	43	44				
17	Left bank of Malheur river	43	48	49	117	09	37	18 15
23	Great Rock creek	43	35	53				
24	Hot springs on Snake river	43	22	49	116	18	19	17 50
26	Burnt Mountain creek	43	03	01	115	33	21	
27	Bruneau river	42	57	44	115	35	06	
29	Rattlesnake meadows	42	55	29	115	06	25	17 04
Aug. 1	Salmon Falls river	42	42	25	114	38	37	17 00
2	Rock creek, 1st	42	36	10	114	20	32	
3	Rock creek, 2d	42	26	52				
4	Snake river	42	29	53	113	45	05	
5	Swamp creek	42	31	57	113	24	33	
6	Raft creek	42	35	36	113	08	15	16 45

HOMEWARD JOURNEY.

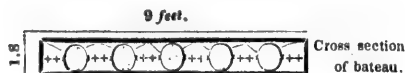
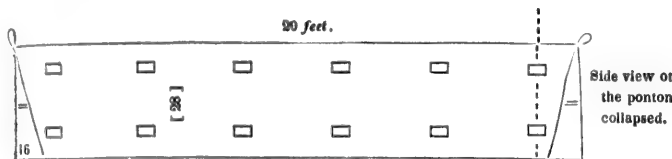
Date.	Place of observation.	Latitude.			Longitude.			Variation.
		°	'	"	°	'	"	°
1859.								
Sept. 13	Old Iron spring, on Snake river	43	18	33				
16	Ford of the Owyhee river	43	46	51	116	47	45	18 04
24	Ford of the Malheur river	43	57	43	116	57	08	18 04
25	Birch creek of Snake river	44	16	09				18 09
28	Branch of Powder river	44	46	03				
Oct. 2	Grand Ronde valley	45	16	16	117	32	57	18 20
3	Grand Ronde river	45	20	27	117	47	17	19 00
4	Lee's encampment, Blue mountains.	45	32	41				19 20
5	First camp, Umatilla river	45	40	52				20 00
8	Near McKay's agency on the Umatilla	45	40	30				20 05

74 e.

FORT CASCADES, W. T., October 29, 1859.

CAPTAIN: In accordance with your direction, I submit the following report concerning the means used on the recent expedition to Salt Lake to effect the crossing of rivers.

The detachment of engineer troops under my command were provided with India-rubber pontons or floats, which were used in the construction of bateaus. These pontons when inflated are cylindrical in form, with the ends shaped somewhat like the bow of a boat. Each ponton is twenty feet in length, twenty inches in diameter, and is in three compartments. There are loops on each side of the pontons for the purpose of fastening them together, and loops on the top to which poles may be attached to stiffen the bateaus. The following figures will show the construction of the pontons and the method of joining them together:



The pontons are fastened together either by straps or ropes—straps are the better. The poles are also strapped on, being fastened to the outer loops. Notches are cut on the poles, or staples driven in, to prevent the straps from slipping. Poles are run through the loops at the ends of the pontons, which assist to stiffen the bateaus. A canvas deck is stretched over the bateaus to protect the India-rubber cloth. The weight required to submerge a bateau is about 2,600 pounds for each ponton. A bateau intended to transport a wagon requires five pontons. These will safely bear the wagon, its load, and as much more of ordinary freight as there is room for. In a perfect arrangement a platform would be used to support the wagon, but, where trans-

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compass determined
to the valley of the
Lieut. Joseph Dixon,

Longitude. Variation.

°	'	"	°	'	"
20	56	11	19	45	
21	04	48	19	20	

20	50	23	19	15	
20	42	08			
20	49	22			
20	42	07	18	55	

20	28	07			
119	50	30	18	40	
119	32	30	18	40	
119	05	15	18	10	
118	42	40			

118	7	45	18	10	
118	57	45	18	25	
118	15	45	18	25	
117	57	00	18	30	
117	09	37	18	15	

116	18	19	17	50	
115	33	21			
115	35	06			
115	06	25	17	04	
114	38	37	17	00	

114	20	32			
113	45	05			
113	24	33			
113	08	15	16	43	

Longitude. Variation.

°	'	"	°	'	"
16	47	45	18	04	
16	57	08	18	04	
			18	09	

17	32	57	18	20	
17	47	17	19	00	
			19	20	
			20	00	

			20	05	
--	--	--	----	----	--

portation is limited, three or four short planks placed transversely and two placed lengthwise are sufficient. These, with two planks to run the wagon on and off the bateaus, are all that are absolutely necessary. Much time, however, would be saved by a more perfect arrangement. In crossing streams with a moderate current paddles may be used, but, where the current is swift, a rope is necessary.

At the crossing of the Des Chutes river, which is about eighty yards wide, a rope one inch in thickness was securely fastened to a tree on the opposite side of the river. The other end of this rope, the length of which was considerably greater than the width of the stream, was attached to the bateau which was connected with our side by a smaller rope. In this way, by paying out the small rope, the loaded bateau was carried over by the force of the current alone. The empty bateau was hauled back by a yoke of oxen; with one bateau the whole command, of nearly three hundred men, thirty wagons, with their loads, and a large quantity of additional freight was ferried over in three days, with frequent interruptions from the swimming of animals at the ferry. One accident occurred, the upsetting of a wagon; the cause of this was, that the bateau, as at first used, consisted of only four pontons, and was found to be too narrow to afford the requisite stability. An additional ponton was added, and, for greater security, part of the load taken from each wagon and placed beneath it. The wagon covers were taken off, as they presented a large surface to the wind; after this no difficulty was experienced. The arrangement was intended originally to be used with a pack train, in reference to the contemplated expedition against the northern Indians last fall, but in the hands of one who has used them wagons can be crossed safely and rapidly.

The average weight of a ponton collapsed is ninety-six pounds, and with the straps, a pair of bellows, and the canvass-bag in which it is carried, about one hundred and six pounds. The entire weight of a bateau of five pontons, with its platform and the planks for running the wagons on and off the bateau, is about one thousand three hundred and fifty pounds. This, with the necessary rope, is, in ordinary circumstances, a light load for one wagon. If this ponton equipage were to be prescribed for general use, one wagon should be used exclusively for its transportation, and this wagon would be so constructed as to admit of its being taken apart and used as a platform.

With a pack train four pontons are sufficient for one ferry, and can easily be carried on four mules with all the appurtenances, rope excepted. The engineer detachment was also provided with two India-rubber boats, each ten feet long. These consist of India-rubber covers stretched over extension frames. On each side is a cylinder which, when inflated, gives great buoyancy and stability. They were not used on the expedition, as it was found that the ponton bateau answered the purposes of a boat much better than they. Three pontons make a very excellent boat. Two of them, in the hands of an Indian, are equal to a canoe.

The pontons were also used to construct a bridge over a slough about twenty feet wide, which was too deep to be forded. As we had not sufficient plank for a flooring, the pontons were covered with wil-

lows and grass; earth was thrown over them, and the bridge answered every purpose. The pack mules went over it loaded. One horse jumped off the bridge, being frightened by the undulating motion which is inseparable from bridges of this kind. All the other streams that we crossed during the expedition were fordable at the season of the year when we reached them.

I am, sir, very respectfully, your obedient servant,
D. C. HOUSTON,
Second Lieutenant Engineers.

Capt. H. D. WALLER,
4th Infantry, Commanding Wagon Road Expedition to Salt Lake.

75. *The Adjutant General to General Harney.*

ADJUTANT GENERAL'S OFFICE,
Washington, January 18, 1859.

GENERAL: Your letter of the 6th ultimo, enclosing a charge and specification against First Lieutenant Joshua W. Sill, ordnance corps, was duly laid before the Secretary of War, and I now have the honor to transmit a copy of "Special Orders" No. 8 of this date from the War Department, appointing a general court-martial for the trial of that officer.

Be pleased to cause the accompanying parcel containing a copy of "Special Orders" No. 8, and the charge exhibited against Lieutenant Sill, to be handed to the officer selected by you to serve as judge advocate of the court.

The Secretary of War conceives that as Lieutenant Sill is charged with important public duties involving the expenditure of a considerable amount of government funds, the period of his arrest should be limited to the time occupied in his trial.

I am, sir, very respectfully, your obedient servant,
S. COOPER,
Adjutant General.

Brig. Gen. W. S. HARNEY,
Commanding Department of Oregon, Fort Vancouver, W. T.

76. *The Adjutant General to General Harney.*

ADJUTANT GENERAL'S OFFICE,
Washington, February 7, 1860.

SIR: The Secretary of War has considered your application to bring Lieutenant De Hart to a court-martial, and General Scott's order to you to release him from arrest.

The Secretary perceives that the lieutenant has committed a grave breach of discipline in assuming to make any personal demand on your staff officer respecting your orders. But he must agree with the general-in-chief that the lieutenant had good cause to complain of the orders without he had not merited censure, and that your reprimand was not in a proper style. The Secretary regrets to be compelled to express his disapprobation of it, and he does not see that he can reverse the decision of the general-in-chief.

The Secretary observes that you take no notice of the matter referred to you for explanation, viz: your furloughs to the enlisted men reported to be employed in your private service. He desires to have an explanation from you in regard to those charges.

I am, sir, very respectfully, your obedient servant,

S. COOPER,

Adjutant General.

Brig. Gen. W. S. HARNEY,

U. S. Army, Commanding Department of Oregon,

Fort Vancouver, Washington Territory

77. Colonel Croig to the Adjutant General.

ORDNANCE OFFICE,

Washington, February 25, 1860.

SIR: After carefully reading General Harney's letter in relation to the site of an arsenal near Vancouver, with the enclosures therein referred by you to this office, I return them with the following remarks:

Under authority of the act of August 30, 1856, appropriating money for the erection of suitable magazines and other arsenal buildings in Washington Territory, arrangements were made by the Ordnance department for the erection of such buildings on a portion of the military reserve at Fort Vancouver, which had been selected for the purpose by Lieutenant Colonel Ripley, then principal ordnance officer in the Pacific department, and had been set aside as an arsenal site by General Wool, then commanding that military department. A difficulty having arisen soon after as to the title of the United States to that site, it was deemed advisable to suspend the execution of the arrangements which had been made for the erection of permanent buildings until the question of title could be settled. Lieutenant Welcker, on being ordered to the command of the ordnance depot at Fort Vancouver, by Special Orders No. 84, of May 12, 1859, was informed of all this, and was instructed as to the course he should pursue in case the difficulty of obtaining a valid title should continue and the wants of the service should in the meantime render it necessary to enlarge the operations and increase the supplies at the depot.

Those instructions are contained in full in the letter to him from this office, of May 30, 1859, and authorize him to make such arrangements

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OFFER,
Adjutant General.

gon,
Hudson's Bay Territory

General.

OFFICE,
February 25, 1860.

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appropriating money arsenal buildings in e by the Ordnance on a portion of the en selected for the pal ordnance officer e as an arsenal site ry department. A of the United States the execution of the ction of permanent etitled. Lieutenant the ordnance depot of May 12, 1859, he course he should tle should continue ime render it new applies at the de- ter to him from e such arrange-

as the necessities of the service may require, by erecting certain temporary buildings, to be superseded by permanent ones when a title to the reserve shall be acquired. This precaution was taken to avoid the possible loss to the government of valuable buildings, and improvements, in case the land on which they were built should be hereafter adjudged to belong to others. After his arrival at Vancouver's depot, Lieutenant Welcker reported to this office, by letter dated August 1, 1859, (and enclosed herewith,) that a portion of the site for the arsenal (twenty acres) which had been added to the original reserve was claimed by two or three citizens under the donation law, and that he had taken measures for obtaining from the Hudson's Bay Company a quit-claim to the ground set aside for the arsenal site. He then, for the first time, mentioned and recommended as a desirable site, superior to the one which had been set aside for the purpose, General Harney's tract, which he stated to be subject to the possessory rights of the Hudson's Bay Company, like the rest of the land in that vicinity. He stated that General Harney was willing to transfer this tract to the Ordnance department at its cost, supposed to be \$1,200 or \$1,500, and subsequently corrected, by a letter dated September 1, 1859, stating that it was about twice that amount. General Harney, on the 12th of October following, informed Lieutenant Welcker that the amount was \$3,480. Lieutenant Welcker's letter of the 1st of August, 1859, was answered by the letter to him from this office of September 15, 1859, informing him that he could neither purchase General Harney's tract nor erect thereon any buildings but the most temporary shelter for ordnance stores and employes until after a deed of conveyance to the United States had been executed and pronounced valid and satisfactory by the Attorney General; but that he might, if he, on the spot, saw no objection to it, lease the tract at a reasonable rent from General Harney for a term to the end of his lease from the Hudson's Bay Company, and might erect thereon the necessary temporary structures. Before the letter of the 15th of September, 1859, from the Ordnance office to Lieutenant Welcker could have reached him, that officer, as will be seen by his letter herewith enclosed, dated October 15, 1859, had taken possession of General Harney's tract by his permission and authority, if not at his instance, (as the letter will explain) with the assurance that he had no doubt that the War Department would take the place. The conditions on which that possession was taken were, that Lieutenant Welcker should hold undisturbed control and possession until informed by the Colonel of Ordnance whether it was the intention of the War Department to purchase the tract with its improvements or not; that if the purchase was determined upon, General Harney should give a valid and perfect title, subject only to the possessory rights of the Hudson's Bay Company, for the sum of \$3,480; that if the purchase was not determined upon, or if the Hudson's Bay Company failed to give a quit-claim for their possessory rights, the tract of land was to be vacated, and its possession restored to General Harney, or his agent; and that in the event of non-purchase, the United States were to be at no charge or expense in consequence of the agreement.—(See agreement herewith, dated

Fort Vancouver, Washington Territory, October 8, 1859.) The authority to lease having been previously given to Lieutenant Welcker by my letter of September 15, 1859, no reply was deemed necessary to his letter of October 15, 1859, and none was made. When my letter of the 15th of September reached Lieutenant Welcker, he abandoned and turned over to General Harney the tract which had been conditionally taken possession of, regarding the instructions in that letter as disapproving of a purchase of that tract. He so reported to this office by his letter of the 1st of November, 1859, herewith enclosed, in which he also reports that he is making the necessary temporary arrangements for sheltering the public property and employes on the arsenal reserve, and that as we are to retain the reserve there would be no advantage, but the reverse, in renting General Harney's place. Lieutenant Welcker's operations in the erection of any buildings were arrested by General Harney's order of the 21st of December, 1859, which is among the papers accompanying his letter referred by you to this office.

The foregoing summary of the facts in this case is given to enable the proper authority to judge how far General Harney may be justified in the course he has pursued, and in the harsh and opprobrious imputation he has cast upon Lieutenant Welcker in his letter to you. I can see nothing in Lieutenant Welcker's course of conduct to justify the use of such language respecting him. The error of that officer was in proceeding to take possession of General Harney's tract, and to make arrangements for its occupancy, before receiving an answer to his letter of August 1, 1859, suggesting a change of the site which had been previously selected and set apart for the purpose, and the extent of that error is to be judged in connexion with the agency of General Harney in the matter, as reported in Lieutenant Welcker's letter of the 15th of October, 1859. He was not directed to make a lease, but only intrusted with authority to do so if he saw no objection to it. No purchase of General Harney's tract could or can be legally made without a law authorizing such purchase, and there is no such law; nor could or can any contract to that effect be made under the 904th paragraph of Army Regulations. The course of General Harney, in stopping the erection of buildings at the ordnance depot in Washington Territory, without directions for the purpose from the War Department, is in direct violation of the regulation of that department of 7th April, 1843, published from the Adjutant General's office on the 8th of that month, which is in these words: "To prevent any conflict from arising among the different corps of the army in relation to quarters, barracks, arsenals, &c., the Secretary of War has laid down the following rules, which will govern all cases, except where a deviation may, *under special circumstances*, be found necessary, when directions for the purpose will be given by the War Department: 1. Arsenals, being under the control of the Ordnance department, will not be interfered with by any other branch of the service;" which regulation was reiterated in the 2d article of the ordnance regulations prepared in accordance with the act of Congress of February 8, 1815, and published by the Secretary of War for the government of all concerned, and has not been repealed.

I request that this report may be laid before the Secretary of War, or whomsoever the letter of General Harney may be submitted to, and I unite with him in requesting early attention to the case.

Very respectfully, your obedient servant,

H. CRAIG,
Colonel of Ordnance.

Col. S. COOPER,
Adjutant General U. S. Army.

77 a.

VANCOUVER DEPOT, W. T.,
August 1, 1859.

COLONEL: I have the honor to report my arrival at this post on the night of the 26th of July past.

I have relieved Lieutenant Sill of the charge of the stores and funds and the command of the detachment, which consists of an acting sergeant and three men.

I find a small cabin on the ordnance reserve, erected by Lieutenant Sill, with the assistance of the detachment, in which are quartered the two unmarried men, while the acting sergeant has erected another, at his own expense, near the first. The remaining soldier, with his family, is in the village of Vancouver, where he pays rent, he informs me, at the rate of eight dollars a month.

Lieutenant Sill has no quarters at all, but is permitted, by the kindness of Mr. Graham, to have rooms in Hudson's Bay Company's fort. The same courtesy has been extended to me.

By reference to the map of this reserve, you will perceive a twenty-acre tract, in addition to the portion of the original tract set aside for ordnance purposes by General Wool. This addition I made myself, when stationed here before, by order of Lieutenant Colonel Ripley. It is a parallelogram, with its length perpendicular to the main body of the reservation. I learn, since my arrival, that these twenty acres are claimed by two citizens, and perhaps a third, under the donation law. This ground was so shaped as to take in the continuation, as far as convenient, of a beautiful bench, upon which the officers' quarters of Fort Vancouver are situated, and is, in my opinion, almost essential to the building of the arsenal. This bench continues parallel to the Columbia river, about half a mile distant, for a mile or two. Between it and the river there is low ground, much of which is subject to overflow in high water, and from it backwards the plateau is covered with fir timber.

I have had an informal interview with James A. Graham, esq., a chief trader in the Hudson's Bay Company, and representative of

their interests here, and proposed to him to give the ordnance department a quit-claim to the ground set aside for an arsenal. He would or could not give me a decided reply himself, but requested me to address him a letter on the subject, which I have done; and he promises to consult Mr. Dallas, the agent for their company in this region, when he goes to Victoria shortly, and thinks it *probable* they may be able to give me an answer, though it is not improbable that the matter will have to be referred to Sir George Simpson, in Canada.

General Harney has a tract of 100 acres of land, lying about one mile east of Fort Vancouver, which is his private property, subject, however, to the possessory rights of the Hudson's Bay Company, like the rest of the land in this vicinity, which tract he proposes to turn over to the ordnance department for an arsenal site. It is on the continuation of the bench referred to above, and would be known to Colonel Ripley by the name of the "Dundas Creek" place. There is a fence enclosing one-half of the tract; a house of wood planks, intended for a stable and barn, but which is now occupied as lodgings by some men; and there is in process of erection a dwelling-house of planks, with kitchen attached. This land, and the improvements on it, I understand from the general, he is willing to transfer to the ordnance department, if desired, at cost, which, he told me, he thought was near \$1,200 or \$1,500. I examined the spot, and I think it would be advantageous to the department to purchase, for I do not think the United States can possibly put up on the present reserve the same improvements for anything like the sum which, I understand, the land and improvements both can be procured for; and the situation I think superior to the present one, because much more handsome, having fine ornamental trees on it, and a beautiful view from it. It is separated from the town and fort, which I think very important, and no portion of it is claimed by any other person. I am told by General Harney that he has a lease from the Hudson's Bay Company for five years, at five dollars a year. General Harney directed me to send him a communication, stating whether I thought the place desirable for an arsenal, and my reasons, which I did. I transmit a copy of the document. He intends sending it, with his remarks, to the Secretary of War, and I presume it will go on this mail. The delay necessary for your decision to arrive here, if made by return mail, (which I respectfully beg may be the case,) will not be more time, nor so much, as it would have taken me to put up similar improvements; besides, I am awaiting the answer from the Hudson's Bay Company.

I believe I have stated my views on this subject clearly, and I submit it to your superior judgment to decide; but I hope I will be excused if I take the liberty of recommending in the strongest manner that the department will make an immediate decision for it or against it, as delay is very much to be deprecated, and nothing can be done until I hear from you. In the meantime the affairs of the depot and the interests of the ordnance service are in a very bad way; no proper storehouse for the stores; no sufficient quarters for even the small detachments here; none for myself; no means of repairs;

of making ammunition ; and the old storehouse which I have totally unguarded, as I have not men enough yet to do that duty.

Respectfully, your obedient servant,

WM. S. WELCKER,

First Lieut. Ordnance, Commanding Vancouver Depot.

Colonel H. K. CRAIG,

Chief of Ordnance, Washington, D. C.

P. S.—Will the colonel please inform me whether the War Department has confirmed the ordnance reserve, and particularly the twenty acres additional, and how to proceed with respect to the claimants to it? Is the reservation on the Willamette river of twenty acres still in possession of the Ordnance or War Department? I do not think it a good position any how, as it is up a small river not navigable for large ships. The Cascades of the Columbia is in many respects a good position for an arsenal, but has an objection which I think insuperable—its great dampness. It is in the mountains, whose tops collect and retain the clouds which come up from the sea ; and the rains there are much heavier than elsewhere in this region, making a bad place for powder magazines and stores of arms. The title to the post reserve is there also disputed by several citizens. Vancouver was selected by Colonel Ripley, and I think is the best place. I must again urge upon the department the necessity of prompt decision as to whether General Harney's place be taken or the present reserve ; both are claimed by the Hudson's Bay Company.

Respectfully, your obedient servant,

WM. T. WELCKER,

First Lieutenant Ordnance.

Colonel H. K. CRAIG,

Chief of Ordnance.

77 b.

Know all men by these presents, that this agreement, made and entered into this the eighth day of October, A. D. 1859, between Brigadier General William S. Harney, United States army, on his own part, and Lieutenant William T. Welcker, ordnance corps United States army, on the part of the United States, witnesseth and agreeth as follows :

First. The said General William S. Harney is to deliver and turn over his tract of ninety-eight acres of land, more or less, lying near one mile east of Fort Vancouver, Washington Territory, with the houses, barns, stables, fences, and improvements of whatsoever nature, on and belonging to said land, to said Lieutenant Welcker and the ordnance soldiers under his command, for the uses and purposes of

a United States arsenal; said Lieutenant Welcker to have and hold undisturbed control and possession until such time as he shall be informed by the Colonel of Ordnance whether it is the intention of the War Department to purchase the said tract of land, with its improvements, or not.

Second. In case the purchase is determined upon, General Harney is to give to the United States a good and perfect title to the said land, subject only to the possessory rights of the Hudson's Bay Company, for and in consideration of the sum of money which said land and improvements have cost him, and which sum is three thousand four hundred and eighty dollars.

Third. If the purchase be not determined upon, or if it be refused by the War Department, then Lieutenant Welcker and the soldiers under his command are to vacate the premises, and deliver them to General Harney or his agent; and also, if the authorities of the Hudson's Bay Company shall fail to give to the United States a quit-claim of their possessory rights to said tract of land, then Lieutenant Welcker is to vacate said premises and restore the possession to General Harney, or the person whom he shall appoint to receive them.

Fourth. It is understood that if the United States do not purchase the said tract of land, they are to be at no charge or expense in consequence of this arrangement.

WM. S. HARNEY,
Brigadier General United States Army.
W. T. WELCKER,
First Lieutenant Ordnance.

FORT VANCOUVER, W. T. October 8, 1859.

77 c.

VANCOUVER DEPOT,
Washington Territory, October 15, 1859.

COLONEL: I have the honor to report that I and my detachment are quartered at General Harney's place. This arrangement has been made provisionally, and subject to your approval. General Harney sent for me towards the end of last month, and said that his improvements were near finished, and if I chose I could occupy the place at once, as he did not doubt the War Department would take the place. As two of the men had no quarters at all, but were paying rent in the town while working for the United States, and as the others were not so well quartered as they could be at the above-mentioned place, and all scattered, none being near where I was staying, I thought it well to accept the offer, subject to your approval, and on the condition that there should be no charge against the United States. I enclose a copy

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S. HARNEY,
United States Army.
WELCKER,
Lieutenant Ordnance.

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of the articles of agreement. The sum of money which is demanded by the owner for the place—\$3,480—was inserted since the articles were signed, as at that time he said he did not know the amount.

The dwelling-house is of fir timber weather boarding, and is in two parts: the main house and an L. The first part has two rooms below and two above, with a hall below and one above; two brick chimneys, and the rooms and halls papered. The "L" part has a large dining-room, a pantry room, kitchen, and servants' room, and detached sink.

The barn or stable is a plank house, 24 by 18 feet, and two stories high. About twenty acres are enclosed by a fence, which on two sides is plank, and the rest of posts, and poles nailed to them. There are about 98 acres (I am told) in all, with a considerable amount of timber upon it.

There is no water nearer than the river, which is the case with the whole military establishment here, town and vicinity. The quartermaster here, Captain Ingalls, tells me that he is going to undertake an artesian well, as the present well—which, I forgot to mention, is at Fort Vancouver—does not work well.

The house upon General Harney's place is not finished, there being no shutters to the windows, no mantel-pieces to the fireplaces, and some few other things to be done. I have one man, with his family, occupying the servants' quarters and kitchen of the house, while I have fitted up the building intended for a stable as quarters for the rest of the men.

I have done this with their own labor, and material left on the place by General H., with the exception of about a dozen planks. I need scarcely remind the department of additional and large appropriations for the arsenal here being necessary, for but little could be done with the amount on hand, wherever the site may be fixed. Not only is there an immediate demand for an arsenal here, but that arsenal should be a large one, and, as far as possible, self-sustaining.

There is, practically, no land communication with California, and the recent and still pending trouble out here with the British forces places in a strong light the great mistake of depending upon sea communication.

There is one more point to which I beg your attention. I have done everything in my power to raise the detachment to fifteen men since my arrival, but I have only seven, of whom one is now on his final furlough. The officers of the line will not consent to transfer any man who is of any account, and I can do very little enlisting. I cannot get mechanics, even the least accomplished, to think of it. I would consequently request you to have men sent out from the Atlantic side. And I think fifteen men are not sufficient for the guard and police of the establishment. If one or two men go on the sick report, there could be no means of keeping up a guard, even if I had fifteen men. My storehouse is in a very unsafe situation, and has been robbed once or twice. I think that forty or fifty ordnance soldiers could be employed in future at this station, to the interest and economy of the government. For the present, Major John F. Reynolds, of the artil-

lery, has stationed a sentinel over my storehouse. This is only a temporary accommodation, however.

Respectfully, your obedient servant,

WM. T. WELCKER,
First Lieutenant of Ordnance.

Colonel H. K. CRAIG,
Chief of Ordnance, Washington, D. C.

P. S.—Since writing the above I have found, I think, that there can be found an abundance of water, within thirty feet of the surface, at General Harney's place.

WM. T. W.

VANCOUVER DEPOT,
Washington Territory, November 1, 1859.

COLONEL: By last mail I informed you that, with my detachment, I had taken possession, provisionally, of General Harney's place; but as soon as I received your disapproval of the idea of purchase, it was abandoned and turned over to the owner. My detachment are in the same situation as before, but as for myself, I have not yet been able to find any quarters anywhere.

I am now building upon the arsenal reserve a temporary cottage for quarters for the ordnance officer, and a plank house for the ordnance men. I have not rented General Harney's place, as there could be no advantage in so doing, as we are to retain the reserve; but, on the contrary, it would be highly disadvantageous, being a mile from the ordnance stores and office.

The cottage I shall build in the most economical manner, of planks and fir lumber, using whatever of the lumber on hand that is fit. I propose a small house, one and a half story, with a parlor, bed-room, dining-room, and kitchen on the first floor, and attic rooms above: to be finished inside with paper, or muslin tacked to the boards. The men's quarters to be 90 feet by 25, with a plain verandah in front. I will divide the house by partitions into five tenements, 12 feet wide for married men, which will leave a hall 30 by 25 feet for the bachelors. This house will be one and a half story, giving attics above, and the tenements for the married men to be divided into front room and kitchen. I am also putting up a cheap stable for two horses which I have purchased, saddle and harness rooms, &c., &c.

As soon as these buildings are finished I shall proceed, as the weather permits, to put up shops, a laboratory, and a fence around the part of the reserve upon which the buildings will be. The fence will be near a mile and a half in extent necessarily, and will be an item of some expense, though made in the cheapest manner.

I must beg you, colonel, to excuse a detailed plan and estimates for these purposes, as, in the press of business, I cannot prepare them before the mail goes, and time presses.

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WELCKER,
Chief of Ordnance.

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WM. T. W.

DEPOT,
November 1, 1859.

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I have on hand of the appropriation for arsenals \$2,610 25, and request, for the present, \$5,000 more. A magazine of greater dimensions than is here now is becoming daily of more necessity, and if the title is not soon obtained from the Hudson's Bay Company, it will be necessary to put up one of wood. Shops are very much needed, especially saddlers', as the dragoons are making continual requisitions for the materials and tools of such; and in consequence of the purchases made and probable, I have to request that you will add \$500 to \$200 upon my estimate for this quarter for the purchase of "tools and materials to issue."

I beg you, colonel, to have the money, or, rather, the treasury warrant, sent by return steamer, as I fear I shall be entirely out of money by that time.

Respectfully, your obedient servant,

WILLIAM T. WELCKER,

First Lieutenant Ordnance, commanding Vancouver Depot.

Colonel H. K. CRAIG,

Chief of Ordnance, Washington, D. C.

P. S.—I have the honor to enclose the enlistment of Benjamin Jones, enlisted the third day of November.

W. T. W.